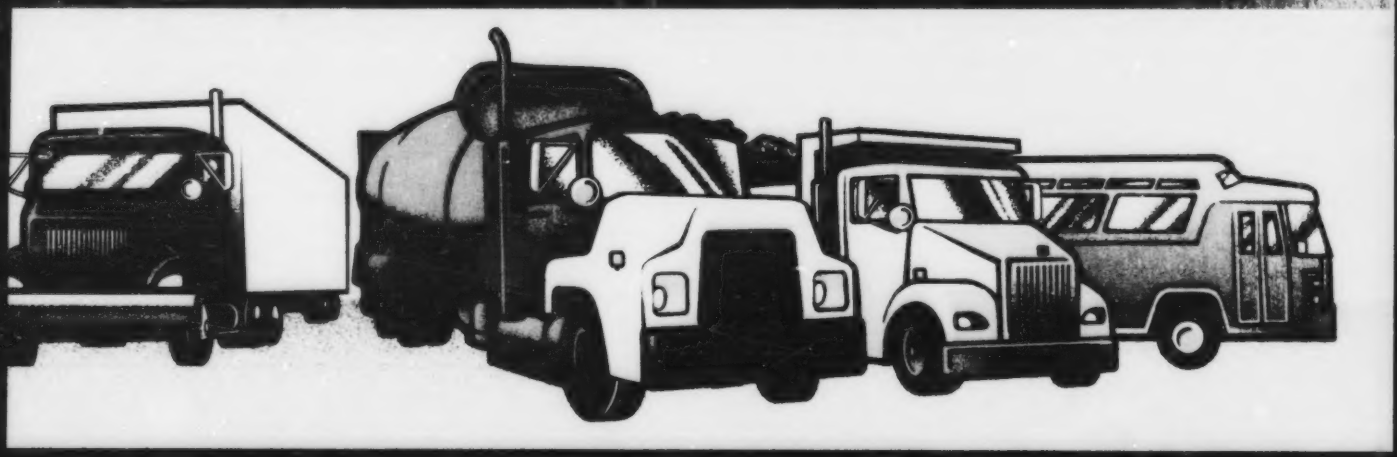
Commercial Operators Regulatory Education Program (C.O.R.E.)



service|mb

Manitoba Public Insurance

Manitoba Transportation and Government Services

Manitoba on the *move*

Information contained in this publication is of a general nature only and should not be considered to be a legal authority. The reader's interpretation and application of this information shall be the reader's sole responsibility.

(Note: information such as addresses/phone numbers may be subject to change without notice).

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Introduction

The Commercial Operator Regulatory Education (CORE) Program, the first of its kind in Canada, is a co-operative effort involving the following strategic partners:

- Transportation Safety & Regulation–Manitoba Transportation and Government Services
- Manitoba Public Insurance
- Manitoba Trucking Association
- Service Manitoba

Goal

The goal of CORE is to reduce fatalities, injuries, property damage and hazardous materials incidents on our highways by assisting carriers in understanding and conforming to the requirements necessary to operate legally and safely in the commercial environment both intra and extra provincially.

Objectives

- Enhance carrier knowledge of and encourage carrier compliance to legislation, regulations and safe operating procedures.
- Use the Transportion Safety and Regulation Branch to supplement the enforcement arm of Manitoba Transportation and Government Services by acting as a resource to industry.
- Create trust and understanding between industry and government.
- Encourage an increase in safe, new motor carrier operations.
- Provide source of direction and information for new entrants to the industry.

Program Description

The strategic partners have worked co-operatively to achieve the goal and objectives by producing a complete resource package that outlines all relevant legislation, regulations, and safe operating procedures.

Target Group

This package is aimed at:

- New entrants into the highway transportation industry
- Existing carriers who are unclear about motor carrier responsibilities
- Existing carriers who wish to ensure they have a clear understanding and interpretation of all relevant *Acts* and Regulations

It is the responsibility of motor carrier operators and drivers to know and comply with all applicable regulations. Safety compliance and safe operations translate into saved lives and property. We believe the information in this package, when effectively applied, will contribute to safer motor carrier operations and highways.

This education and technical assistance package provides compliance guidelines to the *Highway Traffic Act* (Manitoba) and related Regulations, the *Motor Vehicle Transport Act* (Canada) and related Regulations, and the National Safety Code (NSC) and safe operating procedures. It is not intended to be a substitute for these regulations. To purchase a complete copy of the relevant Regulations, contact Statutory Publications as listed in the Contacts section at the back of this book.

General Information

The Commercial Operator Regulatory Education (CORE) program consists of two distinct parts.

The CORE Pac

The Core Pac consists of nine modules, which will contain the necessary information to proactively address the regulatory, safety, and bureaucratic realities of operating a commercial trucking company in Manitoba.

The modules are:

- Initial Entry
- National Safety Code
- Carrier Profiles and Safety Ratings
- Facility Audits
- Driver Profile Record Keeping
- Hours of Service Record Keeping
- Mechanical Fitness Record Keeping
- Compliance and Regulatory Services
- The United States (General)

A Contacts section is contained in the Appendixes to assist you further if you require additional information or explanations.

The CORE Presentation

The CORE presentations will be facilitated by Manitoba Transportation Safety Investigators in many communities in Manitoba. The presentations are not intended to be training seminars for the staff of motor carriers but rather an interactive discussion of the items contained in the CORE Pac.

The presentations will be conducted on a not for fee basis and open to all interested stakeholders.

CORE Program Materials

The CORE Pac will be available in both official languages in paper format, CD-Rom, and via the internet.

Intial Entry • Process Flowchart

1 Registration of your Business Name

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2 Obtaining Licences and Permits

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3 Application for Manitoba Operating Authority Licence/Certificate For Public Service Vehicle Trucks

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4 Motor Carrier Insurance Requirements

↓

5 Periodic Mandatory Vehicle Inspection (PMVI)

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6 International Fuel Tax Agreement (IFTA)

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7 Taxes and Duties

↓

8 Wage Deductions

↓

9 Workers' Compensation Contributions

Canada/Manitoba Business Service Centre

The Canada/Manitoba Business Service Centre is a federal/provincial partnership, which provides one-stop access to a wide range of information to support business startup, business development and international trade. The Centre offers service by phone, in person, through a 24-hour fax-on-demand system, via the Internet, and via its regionalization sites throughout the province. The Centre will assist with information on obtaining municipal licences and permits, provincial licences, forms of business organization, registering your business name, taxes and duties, and hiring employees. For information and advice concerning all aspects of establishing and operating a small business contact the Canada/Manitoba Business Service Centre as listed in the Contacts section at the back of this book.

Transportation Safety Consultants

There are a number of private consultant companies who will, for a fee, provide a large number of services to the transport industry. These services include, but are not limited to, such things as customs information, fuel tax record keeping, driver and maintenance files, hours of service compliance. Transportation Safety and Regulation will provide, on request and at no charge, a list of consultants/third party auditors that have made themselves known to the department.

Step 1 • Registration Of Your Business Name

Under Manitoba law, you must register your business name with the Companies Office, which is a public registry of all businesses operating in the province. It is necessary to register your business name if you:

- Carry on business under a name other than your own family name, (example: ABC Plumbing)
- Have a partner
- Use your surname in the name of the business, but the name indicates more than one person is involved. (example: Smith & Associates Plumbing)

Prior reservation of the business name is mandatory in new registrations. You must file the prescribed forms within one month of beginning business.

For more information and forms for registering or incorporating your business contact the Companies Office of Manitoba Consumer and Corporate Affairs as listed in the Contacts section at the back of this book.

Step 2 • Obtaining Licences and Permits

In Manitoba there are many regulations concerning licences and permits. Licences and permits customarily serve both to protect the public and established businesses from unfair trade practices and to provide government with essential information on which to base such different activities as tax assessment, aid to business, and labour regulation enforcement. Because both provincial and municipal governments have separate but overlapping authority with regard to the licensing of many businesses, you will have to check with both to be sure of complete compliance.

For complete information concerning compliance with the City of Winnipeg zoning regulations for Occupancy Permits, Development Permits and Home Occupations, contact the City of Winnipeg, Zoning Development Branch as listed in the Contacts section at the back of this book.

For information concerning licences in Winnipeg, contact the City of Winnipeg Licence Branch as listed in the Contacts section at the back of this book.

For zoning and licensing inquiries outside Winnipeg, contact the local officials, usually the secretary-treasurer of the town, village, or rural municipality. For information on office locations, contact Manitoba's Rural Development, Local Government Support Services office as listed in the Contacts section at the back of this book.

Step 3 • Application For Manitoba Operating Authority Licence/Certificate For Public Service Vehicle Trucks

A party wishing to transport property for compensation on highways in Manitoba is required to have an Operating Authority Licence/Certificate issued by the Manitoba Motor Transport Board. For more information and forms to apply for an operating authority, contact the Motor Transport Board as listed in the Contacts section at the back of this book.

Step 4 • Motor Carrier Insurance Requirements

Holders of a Public Service Vehicle Truck Operating Authority Licence/Certificate issued by the Manitoba Motor Transport Board are required to acquire and maintain insurance coverage at or exceeding the minimum amounts prescribed by the Board under Manitoba Regulation 238/97, and to file evidence of such coverage. For more information and forms, contact Manitoba Transportation Safety and Regulation, Carrier Insurance office as listed in the Contacts section at the back of this book.

Filing For Insurance

Holders of a Public Service Vehicle truck operating authority issued by the Manitoba Motor Transport Board, are required to acquire and maintain insurance coverage at or exceeding the minimum amounts prescribed by the Board under Manitoba Regulation 238/97, and to file evidence of such coverage with Transportation Safety and Regulation.

The Operating Authority (Certificate) will not be issued to the carrier until the required insurance filing requirements have been satisfied.

Insurance Coverage Requirements

Public Liability & Property Damage

- $1 million (minimum)
- $2 million if transporting dangerous goods.
- $1 million for each public service passenger vehicle with a seating capacity of 10 or fewer persons, including the driver.
- $2 million for each public service passenger vehicle with a seating capacity of 11 or more persons, including the driver.

Cargo Insurance

$15,000.00 to $32,000.00 dependent on the maximum registered gross weight of the vehicle (refer to clause 2(1)(c) of Manitoba Regulation 238/97). Manitoba's Certificate of Insurance is continuous until cancelled. Deductibles are permitted.

Names on the Certificate of Insurance and the name on the operating authority must be identical. Manitoba requires at least 15 days prior notice in the event of cancellation, lapse or policy change that may reduce coverage below legislated limits. Failure to comply with this request could result in your company being suspended by the Motor Transport Board from using the highways of Manitoba and paying a Board Cost of $100. Transportation Safety & Regulation does not notify carriers if we have received notice of cancellation from the insurance company. The onus is on the carriers to make sure they have the proper insurance filed with Transportation Safety & Regulation at all times.

Manitoba-based Carriers

Carriers based in Manitoba must file with Transportation Safety & Regulation a completed Certificate of Insurance.

For complete information concerning this insurance, contact your insurance broker.

For obtaining information on costs of Public Service Vehicle Plates, contact the Driver and Vehicle Licencing, Commercial Vehicles office as listed in the Contacts section at the back of this book.

Out-of-province Carriers

Carriers not based in Manitoba must have their insurance company complete Manitoba's Certificate of Insurance and have it forwarded to our office.

Step 5 • International Registration Plan (IRP)

Manitoba will be joining the International Registration Plan (IRP), an agreement currently between the American states and three other western Canadian provinces, for sharing commercial vehicle registration fees. Manitoba-based carriers will be licenced under IRP effective March 1, 2001.

Manitoba's commercial carriers will enjoy the benefits of a new streamlined vehicle registration prorate system when the Province participates in the IRP. The Division has consulted with industry, government departments, and other stakeholders on their needs throughout the development of a new prorate system.

Although the Canadian Agreement on Vehicle Registrations (CAVR) introduced proportional registration fee sharing among the Provinces, the IRP will simplify licencing practices. Annual renewals will be updated automatically once the declared distances are systematically entered. Additions, deletions, and transfers of vehicles will also be streamlined and changes will be easier to process by both the carrier and staff in the Division's Prorate Section.

One of the rules in the IRP agreement requires registered weights to be within a narrow weight band of 10% between jurisdictions. Carriers will be required to supply supporting documentation reflecting actual operating practices if the highest and lowest weights requested for registering by gross vehicle weight varies by 10% or more. The 10% rule will be handled separately for Canadian and U.S. registrations since the maximum permissible weight levels in Canada can differ significantly from prevailing levels in the U.S.

In preparing for IRP, the Division is strategically phasing out CAVR with a minimal impact on its carriers. On April 1, 2000, carriers with April anniversary dates were issued CAVR cab cards for 11 months with an expiry date of February 28, 2001. However, the CAVR registration portion for Manitoba is for a full 12-month period and will continue beyond February 28, 2001. The overpayment of Manitoba's registration fees for March 2001 and beyond will be refunded to Manitoba based carriers in March/April 2001.

All CAVR cab cards issued in the last registration cycle before March 1, 2001 will expire February 28, 2001. On January 15, 2001, the IRP Prorate Section of the Division will begin processing all IRP registrations as part of the conversion from CAVR to IRP. The IRP cab cards issued during the conversion phase will be for both the US and Canada with a March 1, 2001 effective date.

IRP may also change the way Manitoba Finance calculates and collects provincial tax on commercial vehicles operating under the IRP. The proposed legislation will have the existing retail sales tax on purchased vehicles replaced with a Prorate Vehicle Tax (PVT) to be paid each year at the time of registration. The PVT is a lower (and diminishing) annual tax applied over the expected life of the vehicle.

During the transition phase, no PVT will be payable for two years for vehicles on which retail sales tax was collected prior to March 1, 2001, provided there is no change in ownership during the transition period. These vehicles will be subject to PVT after February 28, 2003 at the tax factor associated with the vehicle's year of acquisition. For example, a vehicle purchased in 1998 will be subject to the sixth year tax factor (fifth year following acquisition), as there are six annual increments from 1998 (the year of acquisition) to 2003. Similarly, a vehicle purchased in 2000 will be subject to the fourth year factor (third year following acquisition). As PVT is intended to come into effect on March 1, 2001, a vehicle purchased on or after March 1, 2001 will be assessed the new PVT at the first year rate (year of acquisition). Then it will be assessed at the lower second year rate in the following year and so on.

An important feature of the revised tax structure is that retail sales tax is not paid on IRP semi-trailers or on repair parts for IRP truck tractors, semi trailers and buses that travel inter-jurisdictionally. The tax on inter-jurisdictional

trailers and repairs on all inter-jurisdictional vehicles is factored into the PVT rates applied on commercial vehicles under IRP.

For the transition to PVT, along with the registration requirements of some states and provinces, carriers will need to provide bills of sale to show the purchase dates and prices for the vehicles being registered under IRP. Once the vehicle is registered, no further evidence of the purchase price will be required in future years except when a vehicle changes ownership. The purchase price for PVT calculations will be the value as shown on a vehicle default table if evidence of the purchase price cannot be provided.

Registrants who base-plate vehicles in other provinces will be required to pay Manitoba's PVT to their base province after March 1, 2001. However, they can apply for a refund of PVT through the Taxation Division of Manitoba Finance during the two-year transition phase provided Manitoba retail sales tax was paid on the acquisition of the vehicle prior to March 1, 2001 and there has been no change in ownership to the date of paying the PVT. Manitoba also plans to simplify its fee structure for PSV bus registrations. Today's formula for calculating PSV bus fees uses wheel base, added to a fee for the first 12 seats and a fee for each additional seat, plus a charter fee, if applicable. The proposed new fee structure would simply be based on the number of passenger seats. For example, the PSV bus fee schedule will only have one fee for buses with 20 passengers or less. The fees will be fully proratable. Other IRP jurisdictions should not have difficulty calculating and collecting these fees from carriers prorated in Manitoba.

Questions, comments or concerns about prorate licencing in Manitoba can also be sent by mail, phone or facsimile to the IRP Prorate Licencing section at B107-1075 Portage Avenue, Winnipeg, MB R3G 0S1, telephone (204) 945-5435 or fax (204) 945-8416. For more information and forms, contact the IRP Prorate Licencing office as listed in the Contacts section at the back of this book.

Step 6 • International Fuel Tax Agreement (IFTA)

The province of Manitoba is a member of the International Fuel Tax Agreement (IFTA). This agreement among Canadian provinces and U.S. states simplifies the reporting of fuel taxes by commercial carriers who operate in more than one member province or state. For more information and forms, contact Manitoba's Finance, IFTA offices as listed in the Contacts section at the back of this book.

Step 7 • Taxes And Duties

Provincial Taxes

Taxation *Acts* contain important exemptions as well as particulars of provincial tax collection and remittance. For more information, contact Manitoba's Finance, Taxation Division offices as listed in the Contacts section at the back of this book.

Goods and Services Tax and Excise Tax

The Excise Tax Act (federal legislation) imposes both the Goods and Service Tax and Excise Tax. Every person providing taxable goods or services in Canada in the course of their commercial activities is required to register and collect GST/HST when their gross taxable revenue exceeds $30,000 ($50,000 for public service bodies) per year. For more information on these and other related matters, contact the Canada Customs & Revenue Agency as listed in the Contacts section at the back of this book.

Customs/Duties

Imported goods may be subject to customs duties and to the GST and excise taxes. Some goods are prohibited entry and others require import permits or inspection certificates. There are detailed regulations concerning invoicing, classification of goods, rates of duties and reductions or exemptions for special classes of articles. For details contact the Canada Customs & Revenue Agency as listed in the Contacts section at the back of this book.

Personal and Corporate Income Tax

Both the provincial and federal governments impose separate taxes on personal and corporate income, all of which are collected by the Federal Department of National Revenue. Every resident of Canada is liable to pay federal and provincial personal income tax on all earnings from all sources. For information on matters relating to personal and corporation income tax, contact the Canada Customs & Revenue Agency as listed in the Contacts section at the back of this book.

Step 8 • Wage Deductions

Employment Insurance, Canada Pension Plan and Employee's Income Tax

All employers are required by federal law to deduct certain amounts from the income of their employees for Unemployment Insurance premiums, Canada Pension Plan contributions, and Income Tax. These deductions, together with the employer's share of Employment Insurance premiums and Canada Pension Plan contributions, are remitted to Canada Customs and Revenue Agency. An employer should contact the Agency as soon as he or she registers a new business and expects to hire employees. A business number, which should be used in all dealings with the department in connection with payroll deduction matters, will be issued. For more information regarding payroll deductions contact the Canada Customs and Revenue Agency as listed in the Contacts section at the back of this book.

Step 9 • Workers' Compensation Contributions

The workers' compensation system is an accident insurance system for employers and workers. Employers who pay for the system are not liable for the workplace injuries or diseases sustained by their workers. In turn, workers injured in the course of employment are automatically eligible for compensation regardless of fault. However, workers give up their right of legal action against a potentially negligent employer in return for the certainty of no-fault benefits. For information concerning the employer's responsibilities under *The Workers' Compensation Act*, contact the Workers' Compensation Board of Manitoba as listed in the Contacts section at the back of this book.

The National Safety Code

Introduction

The Province of Manitoba, in cooperation with the other Provinces, Territories, the Government of Canada and in consultation with the transportation industry, has adopted a National Safety Code. This code is made up of 16 minimum standards that will assist carriers and drivers to remain in compliance with local, national and international rules for owning and operating commercial vehicles. Uniformity of operations, from a comprehensive safety standpoint, will ensure that our local transportation industry, which is a vital component of the Manitoba economy, remains as viable and sustainable as possible in both the short and long term.

The National Safety Code includes motor carriers who operate commercial trucks and public service vehicles with a registered gross vehicle weight of 4,500 kilograms or more, and buses over ten passengers, including school buses.

NSC Standard #1 • Single Driver's Licence

Carrier Requirement

- To set up and maintain a system of files on each driver for the purpose of including all of the information that drivers must provide, as listed below.
- To determine on the basis of this information, training and testing, whether or not the driver is and continues to be fit to drive.

Driver Requirement

- Must make a written disclosure to the commercial carrier, of any and all driver's licences held, including the jurisdiction (Province, Territory or State).
- Must provide class of licence, status of licence and the actual name in which each licence is held.
- Permitted to be licenced in one jurisdiction only.
- Must provide a current copy of driving record before being hired, and annually thereafter.
- May authorize employer to obtain copy of driver record.

NSC Standard #2 • Knowledge and Performance Tests

Carrier Requirement

- Should provide drivers and prospective drivers with the necessary training to become qualified to drive and to remain qualified to operate the particular class of vehicle.

Driver Requirement

- Must meet applicable medical, vision, physical ability, knowledge and skill standards through the successful completion of the prescribed tests and examinations prior to operating a commercial vehicle.

NSC Standard #3 • Driver Examiner Training

This standard was primarily for the purpose of establishing and maintaining a consistent class licence testing program in each jurisdiction. The program provides additional acceptance of driver's licences, both nationally and internationally.

NSC Standard #4 • Classified Driver's Licence Program

Carrier Requirement

- Must ensure that drivers hold the appropriate licence to permit operation of the class of vehicles authorized.
- Must have a system to ensure that drivers remain qualified to drive.

Driver Requirement

- Must possess a valid driver's licence of an appropriate class to operate the assigned vehicle, including an air brake endorsement where the vehicle is equipped with air brakes.
- Must provide ongoing evidence of a valid licence.

NSC Standard #5 • Self-Certification

This specific program will be of special interest to any carrier with a comprehensive driver training and monitoring program who might wish to become certified to test prospective drivers and to issue driver's licences.

May apply to the Division of Driver and Vehicle Licencing for authority to test and certify drivers and to issue an appropriate class of licence, including an air brake endorsement. There is an entry criterion to the program and also stringent monitoring to ensure that each licence issuing authority meets the required minimum uniform approved testing standard.

NSC Standard #6 • Medical Requirements

Carrier Requirement

- To ensure through a monitoring system that drivers comply with filing medical examination reports.
- May impose more frequent medical examination reports if medical condition warrants.
- Should ensure that any driver medically unfit to drive, does not drive.
- Physicians and Optometrists are required to report any driver medical condition that does not meet the medical standards prescribed in regulations or established policy the Registrar.

Driver Requirement

- Must meet minimum medical standards applicable to the class of vehicle operated.
- Must file, with the Division of Driver and Vehicle Licencing Medical Records, a medical report every ten years for ages 18 to 39 years, every five years for ages 40 to 60 and every two years for ages 61 and over.
- Drivers with any significant medical condition may be required to file a more frequent medical report.

NSC Standard #7 • Carrier Record Keeping Requirement

Carrier Requirement

To establish and maintain a system of records including as a minimum:

i) information on each driver's licence, driving record, documentation of review of driver fitness, record of training or upgrading;

ii) hours of service for each driver and a system for ensuring that drivers are operating within the hours of service requirements–a record of corrective actions taken in instances where violations are discovered;

iii) a listing of vehicles owned, operated or leased;

iv) inspection, maintenance, and repair reports for each vehicle and a system to ensure that the inspection, maintenance, and repair of vehicles is consistent with Regulations. Listing of actions taken as a result of deficiencies discovered;

v) documentation of completion of applicable manufacturer's recall notices;

vi) bills of lading, record of fuel purchases by vehicle, dispatch records, payroll for each driver and vehicle, vouchers, books of account, insurance, and accident reports;

vii) identification of individual responsible for promoting compliance.

Driver Requirement

To provide carrier:

i) driver's licence of information;

ii) driving record (abstract);

iii) report of accidents, traffic, criminal and/or dangerous goods of offences;

iv) trip inspection reports;

v) hours of service log book records.

Must have available, during any work shift:

i) daily log hours of service (current and previous seven days minimum);

ii) bills of lading, other shipping documents, receipts for expenses, fuel, and accommodation (if applicable);

iii) copy of operating authority (if applicable);

iv) copy of registration and insurance certificates.

NSC Standard #8 • Short-Term Suspensions

Carrier Requirement

- In the event that a vehicle is stopped, and that vehicle or its driver is found not to be in compliance, a suspension may be imposed.
- If it is a vehicle mechanical condition, completion of the specified repair would return it to service.
- If the noncompliance is in regard to driver condition (i.e. hours of service), the suspension would be a maximum of 24 hours or until the driver was in compliance.
- If in the opinion of the peace officer the vehicle should be moved to a safe location, costs for towing and for storage would be borne by the owner.

Driver Requirement

- A 24-hour suspension may be imposed by a peace officer for an infraction of the Hours of Service Regulations.
- Drivers of commercial vehicles found driving while impaired, by the use of alcohol or drugs, may be suspended for a period of three months and upon conviction for a greater period of time.

NSC Standard #9 • Hours of Service

Carrier and Driver Requirement

Not to drive or permit driving:

i) more than 13 hours following a minimum of eight consecutive hours off duty; or

ii) after being on duty 15 hours following at least eight consecutive hours off duty; or

iii) after completing 60 hours on duty during a period of seven consecutive days; or

iv) after completing 70 hours on duty during any period of eight consecutive days; or

v) after completing 120 hours on duty during any period of fourteen consecutive days.

Note: A driver shall be off duty for a minimum of 24 consecutive hours prior to completing 75 hours to be eligible for the 120 hours/14 day cycle.

Exception:
A driver may accumulate the eight hours off duty time resting in a sleeper berth in two separate periods provided that:

a) no period is less than two hours in duration; and
b) the aggregate of the time spent resting in the sleeper berth immediately preceding and immediately following the on duty period is at least eight hours in total; and
c) the aggregate of the time spent driving immediately preceding and immediately following a sleeper berth rest period does not exceed 13 hours in total.

A driver may, once in a period of seven consecutive days, reduce off duty time to four consecutive hours, if the on duty time in the immediate preceding period did not exceed 15 hours, and the difference between eight hours off duty time and the time taken is added to the next eight consecutive hours off duty. This may be disallowed if it is the opinion of a peace officer that the reduction has or is likely to jeopardize the safety or health of the driver, or the safety of a vehicle on the highway.

Certain exceptions also exist for commercial vehicles operating north of the 60th parallel and through special permits issued by the Director of Transportation Safety and Regulation.

When a vehicle is being operated within a radius of 160 kilometers of the home terminal, and a work shift does not exceed 15 hours, and the carrier maintains an accurate record of the driver's time on duty, an actual log book is not required. If at any time a driver ceases to meet the exemption requirement, it is mandatory for that driver to enter in a log book, the total hours of an on duty time for each of the seven consecutive days preceding the day on which the driver ceased to be exempt.

Hours of Service log books must contain the following information:

a) a graph using a continuous line set out in a 24-hour grid;
b) the date;
c) driver's name;
d) odometer reading;
e) vehicle licence number;
f) licence number and unit number of any trailer or trailers;
g) name or names of the carrier(s) for whom the driver works during each work day;
h) the signature of the driver;
i) the name of any co-driver legibly printed;
j) the time in the 24-hour period when the driver's on duty time commenced if other than 12 midnight;
k) the address of the chief place of business of the carrier for whom the driver is working;
l) the total distance driven;
m) the total time in each duty status.

A continuous line will record the period of time the driver is off duty in the sleeper berth, driving, or on duty not driving. The log will also show the name of the city, town, or village or location on a highway where each duty status change occurred, stops made (stops in any single location may be aggregated as time at one stop) and at the end of each day the total number of hours in each duty status will be entered and equal 24 hours in total.

Automatic on board recording devices may be used if they meet applicable standards.

NSC Standard #10 • Security of Loads

Carrier Requirement

- Required to ensure that drivers comply with Load Security Regulations.
- Must equip vehicles appropriately to allow load securement.

Driver Requirement

- Required to secure loads and/or inspect loads to ensure that adequate securements are in place.
- Any equipment carried in or on the vehicle must also be secured in accordance with the Regulations.
- Vehicle entry and exits, including emergency exits, must be unobstructed.
- Any property transported must be secured or stored to prevent risk of injury to the driver or any passenger by its falling, displacement or other movement.

NSC Standard #11 • Commercial Vehicle Maintenance

Carrier Requirement

- To ensure that all vehicles in its care meet the maintenance and performance standards as described in the Regulations.
- Required to have a system of maintenance records that would cause inspection, maintenance and repair functions at regularly scheduled intervals.

Driver Requirement

- Must perform inspections and complete written reports in compliance with Regulations.

NSC Standard #12 • Commercial Vehicle Safety Alliance Roadside Inspections

A commercial vehicle may be, at any time, subjected to a roadside inspection. A peace officer or a vehicle standards officer may make the following checks:

Inspection of Documents

i) driver licence;

ii) hours of service log(s);

iii) trip inspection report(s);

iv) dangerous goods training certificate if applicable;

v) operating authority;

vi) vehicle registration and insurance.

Inspection of Vehicles

i) brake system;
ii) coupling system;
iii) exhaust system;
iv) fuel system;
v) lighting devices;
vi) safe loading;
vii) steering mechanism;
viii) suspension;
ix) frame;

x) tires;
xi) wheels and rims;
xii) windshield;
xiii) windshield wipers.

Where the officer determines that any component(s) are out of compliance with the commercial vehicle maintenance standard, it may be placed out of service, or subjected to fines, penalties or operational restrictions.

NSC Standard #13 • Daily Trip Inspection Report

Carrier Requirement

- To provide instruction to the driver on how to conduct a daily trip inspection and how to make an inspection report.
- To ensure the vehicle is free from safety defects when operated on a highway.
- To provide repairs for any valid safety defects identified on a trip inspection report before the vehicle is operated on a highway. (If the driver errors in identifying a safety defect on the inspection report, the carrier or its agent may note that the item was not defective on the report).
- To require repairs to be noted on the trip inspection report and signed by the person conducting the repairs.
- To enforce the trip inspection requirements for drivers and vehicles in their control.
- To retain the trip inspection report for a minimum three-month period.
- To ensure that proper records of repairs to correct defects noted on the inspection report are made and kept.

Driver Requirement

- To perform the inspection on a daily basis, prior to commencing a trip and at the end of each day. (If the trip is more than one day, the inspection must be done at the first rest stop on the following and any subsequent days).
- To record any defects discovered prior to the trip, while the vehicle is being operated, and at the end of the trip.
- To notify the carrier if any defect poses an unreasonable risk. (Carriers and drivers are advised to use the Vehicle Inspection Handbook as a guide to determine unreasonable risk)

NSC Standard #14 • Compliance Reviews

A compliance review will be administered by the base jurisdiction to every new carrier upon application for entry and a fitness rating will be given.

Minimum entrance requirement will be compliance with the National Safety Code. Satisfactory proof of valid and subsisting insurance is part of the fitness test.

A compliance review may also be administered for any carrier on a random basis or in the event that carrier performance is determined to be below standard through a Carrier Profile System.

NSC Standard #15 • Facility Audits

A number of commercial carriers may be subject to a facility audit on an annual basis. The target group will be selected using Failure Analysis Methodology:

- Carrier performance showing a higher than normal incidence of violations of related laws (Carrier Profile).

The profile will be developed from records detailing lack of compliance with any component of the National Safety Code and with any other applicable Provincial, National or International law.

The facility audit will be performed at the chief place of business of the commercial carrier in the Province of Manitoba.

NSC Standard #16 • First Aid Training

Carrier Requirement

- It is recommended that carriers offer first aid training courses and/or courses in occupational health and safety to drivers.
- Courses are available through approved Provincial agencies.

Driver Requirement

It is recommended that drivers of commercial vehicles complete approved first aid training and/or an occupational health and safety program.

Carrier Profile

Manitoba Transportation and Government Services is responsible for the establishment of Motor Carrier Profiles under Section 322.1 of the *Highway Traffic* Act & Section 7.1(2) of the Extra-provincial Truck Undertaking Licencing Regulations; *Motor Vehicle Transport Act* 1987 (MVTA).

Each jurisdiction in Canada is required under National Safety Code (NSC) Standard #7 to develop and maintain a Carrier Profile System (CPS) to record all convictions, results of on-road inspections, and reportable accidents. The Carrier Profile System is a computer database program that contains the on-road activities of all NSC motor carriers base-plated in Manitoba. Motor carrier accidents, convictions, CVSA inspections, and facility audit results are collected and retained in the Carrier Profile System. NSC points are assigned for each infraction and are recorded on the Carrier Profile.

From the CPS database, individual Carrier Profiles are generated based on a Motor Carrier (NSC) number. The Carrier Profile summarizes all incidents relating to the specific Motor Carrier.

Components Of The Carrier Profile

Carrier Profiles capture a Motor Carriers' previous two-year record for:

At Fault Accidents

At fault accidents are accidents with damage over $1000 or causing injury, involving a public service vehicle or a commercial truck having a gross registered weight of 4,500 kilograms or more operated by the motor carrier, in which the driver was at fault.

Convictions

Convictions (not charges) against the motor carrier and the drivers of the motor carrier incurred on Manitoba base plated vehicle and trailers registered against the motor carrier, will be recorded on the Carrier Profile.

CVSA Inspections

All CVSA inspections of public service vehicles and commercial trucks having a gross vehicle weight of 4,500 kilograms or more, which were conducted in Canada on Manitoba base plated vehicles and trailers, will be recorded on the Carrier Profile.

Facility Audits

A Facility Audit examines a motor carrier's safety records in the following three areas and the results of the Facility Audit are included in the Carrier Profile. More detailed descriptions of the components covered in the Facility Audit are included in a section dedicated to Facility Audits.

- *Driver Profile*–driver abstracts, licence disclosure, records of accidents and convictions, annual driver review and evidence of corrective action taken.
- *Driver Hours of Service*–daily logs or time records, supporting documents including, but not limited to, fuel bills, toll receipts, accommodation receipts and payroll records.
- *Vehicle Maintenance*–valid Periodic Mandatory Vehicle Inspection (PMVI) certificates, records of CVSA inspections and follow up, pre-trip inspection reports and follow up, records of defect repairs and records of the preventative maintenance program.

Motor Carrier Performance Ratings

Motor Carrier Performance Ratings are based on the motor carriers two year record for at-fault accidents, convictions, CVSA inspections and a combination of all three. A carrier's performance is measured by comparing the on road activities of carriers of the same fleet size. A carrier's performance is displayed as a percentage (%) of maximum NSC points.

Carrier Infraction Pointing

At Fault Accidents: 2 Points–Property Damage
4 Points–Injury
6 Points–Fatality

Convictions:

Canadian Council of Motor Transport Administrators (CCMTA) Equivalency. Some examples of NSC points for convictions are:

Type of Conviction	Number of Points
Failure to affix a slow speed sign	2 Points
Failure to maintain and update daily log	2 Points
Dangerous driving	5 Points
Seatbelt violation	2 Points
Passing in a no passing zone	3 Points

CVSA Inspection: 0 Point–Pass
1 Point–Fail
3 Points–Out of Service

Intervention Levels

As part of a progressive intervention process, intervention by Transportation Safety and Regulation occurs at the following levels.

0–40%	*Acceptable.* No action required.
41–64%	*Intervention Level 1.* First performance review letter sent.
65–84%	*Intervention Level 2.* Second performance review letter sent.
85–99%	*Intervention Level 3.* Facility audit, safety plan interview and monitoring.
100%+	*Administrative Intervention.* Revocation of safety certificate, revocation of vehicle registration, and/or fleet limitation

Carrier Safety Rating

Manitoba Transportation and Government Services is responsible for the establishment of Motor Carrier Safety Ratings under the *Motor Vehicle Transport Act* (MVTA) and Section 322.1 of the *Manitoba Highway Traffic Act* (HTA).

Every Province has made a commitment to apply safety ratings to all motor carriers operating a public service vehicle or a commercial or T-plated truck having a registered gross weight of 4,500 kilograms or more and buses over 10 passenger including school buses.

Safety Rating Categories

There are four Safety Rating Categories:

Satisfactory Unaudited
Assigned to all new Commercial Motor Carriers.
Assigned when a motor carrier has not had a Facility Audit. A carrier may exist in this category indefinitely.

Satisfactory
Assigned when a motor has successfully "passed" a Facility Audit.

Conditional
Assigned when a motor carrier has "failed" a Facility Audit.

Unsatisfactory
Assigned when a motor carrier's performance has deteriorated to such a degree that Manitoba Transportation and Government Services, Transportation Safety and Regulation Branch deems the Motor Carrier unfit. A carrier rated as unsatisfactory in Manitoba will no longer be able to operate motor vehicles.

Carrier Profile Report

The Carrier Profile Report is made up of six distinct sections. These sections are as follows:

Part 1 • General Carrier Information.

Part 2 • Carrier Convictions.

Part 3 • Carrier Convictions by Category.

Part 4 • Carrier Inspection Details.

Part 5 • Carrier Accident Details (note: only at fault accidents are weighted).

A sample Carrier Report is attached as Appendix C at the end of this book.

Confidentiality Of The Carrier Profile

Presently we do not release a carrier profile or discuss its contents with anyone with the following exceptions: the identified motor carrier, the motor carriers agent (once a signed letter of release is submitted to the department), a police agency, a requesting province, the courts and the Motor Transport Boards.

Access To Your Carrier Profile

To get a copy of your carrier profile on a regular basis, mail or fax a duly signed request on company letterhead to: Manager Carrier Profiles, Transportation Safety and Regulation, 1550 Dublin Avenue, Winnipeg, MB R3E 0L4. Transportation Safety and Regulation is currently planning the re-design of the Carrier Profile System to allow motor carriers to access their profiles through the Internet.

SAFER System

This section describes the United States SAFER system. Manitoba has designed a system that will be similar in appearance to the U.S. system.

In the United States, the Intelligent Transportation System (ITS) is being designed to increase roadway safety, reduce motorist delays, reduce air pollution, and improve the overall productivity of commercial vehicle operations (CVO) through the use of advanced technology. The Federal Highway Administration (FHWA) is currently testing and evaluating ITS technologies to enhance intrastate and interstate commercial vehicle operations. The current focus is on creating transparent borders for interstate commercial vehicles and improving the safety of commercial vehicle operations.

The Safety and Fitness Electronic Records (SAFER) System is planned as a component of ITS. SAFER will provide carrier, vehicle, and driver safety and credential information to fixed and mobile roadside inspection stations. This information will allow the roadside inspector to select vehicles and/or drivers for inspection based on the number of prior carrier inspections, as well as carrier, vehicle, and driver safety and credential historical information.

The FHWA Office of Motor Carriers (OMC) has provided carrier safety data to industry and the public for many years via telephone requests and paper reports. The SAFER System makes it possible to offer this information electronically. Limited SAFER functions are now provided free of charge over the Internet. Access is provided to *Carrier Snapshots*, a concise electronic record of a carrier's identification, size, commodity information, and safety record, including safety rating (if any) and roadside out-of-service inspection information. The carrier snapshot is available via an *ad-hoc query* (one carrier at a time) service, which can be accessed by selecting the *SAFER Database Query*. Other functions will be available for a fee at a later date.

Developed by the Johns Hopkins University Applied Physics Laboratory, under contract to the FHWA/OMC, SAFER uses carrier information from existing government motor carrier safety databases. Presently, it consists of interstate carrier data and several states' intrastate data. Safety data is only presented for interstate carriers, but plans are to include intrastate data at a later time.

- All information displayed via a SAFER database query is public information which has long been available under the Freedom of Information Act (FOIA).
- SAFER database queries have been tested and confirmed to operate properly with the following WWW browsers:

  Netscape Navigator Version 3.xx

  Netscape Navigator Gold Version 3.xx

  Microsoft's Internet Explorer Version 3.xx

While other browsers may appear to work properly, they may return unpredictable or incorrect results.

SAFER may be accessed at: http://www.safersys.org

From here you may initiate requests for information stored in the SAFER System.

Currently, three (3) types of queries may be initiated:

- Request a snapshot for a specific motor carrier by DOT#.
- Request a snapshot for a specific motor carrier by ICC or Motor Carrier ID.
- Request a list of motor carriers by name. The search parameter can contain alphanumeric characters, spaces, and the wildcard (*) character only.

Example: If you do not know a valid DOT# and would like to do a sample query, you may enter 0 (zero) as a DOT# to retrieve a sample snapshot.

Facility Audits

Background

Manitoba's Transportation Safety Investigators are responsible for conducting Facility Audits on both Intra-Provincial and Extra-Provincial carriers.

The objective of a Facility Audit is to promote safe motor carrier operations through compliance with the *Manitoba Highway Traffic Act* and Regulations made under the Act and the *Motor Vehicle Transport Act* (MVTA), 1987. The MVTA includes the provisions of the National Safety Code and the Federal–Commercial Vehicle Drivers Hours of Service Regulation 94-716.

A Transportation Safety Investigator will review the carrier's operational records and assess compliance in the areas of Driver Profile, Provincial and Federal Hours of Service Regulations, Vehicle Maintenance and Transportation of Dangerous Goods. These components will be discussed in more detail in following sections.

The facility audit program monitors the compliance of motor carriers through the examination of a carrier's records primarily at the carrier's chief place of business in Manitoba. Carriers operating vehicles base plated in another jurisdiction, fall under the facility audit mandate of that jurisdiction. Transportation Safety and Regulation may become involved in the facility audit process at the request of the base plate jurisdiction.

Selection Of Carriers For An Audit

A facility audit can be initiated for-cause based on information on the carrier's profile. In addition, substantiated complaints or concerns received from the general public, policing agencies and the transportation industry may result in a facility audit or investigation being conducted. Investigations may also be initiated for instances such as a wheel-off occurrence, an accident involving a commercial vehicle, complaints regarding a commercial carrier's operations, misuse of operating authorities and the coercing of drivers to drive in excess of the prescribed Hours of Service Regulations.

Should it be determined that a facility audit is required, the carrier will be notified of the requirement in sufficient time to gather and organize the requested records for presentation. The verbal notification usually takes place five to ten working days prior to the commencement of a facility audit and is followed by a written confirmation outlining the required records. The Highway Traffic Act 318.10(2) requires that carrier records be available for inspection at any reasonable time. When there is a requirement to reschedule a facility audit due to unforeseen circumstances, the auditor and carrier will mutually agree on a new audit date. In situations where an immediate safety concern has been identified, the auditor may enter the carrier's chief place of business without prior notification and place a demand upon the carrier to present records for examination. The auditor will provide proof of identification upon first contact with the carrier. An audit may, on occasion, be conducted at Transportation Safety and Regulation offices due to extenuating circumstances such as the carrier's location, a carrier having demonstrated inappropriate behavior or the lack of space to accommodate an auditor or audit team. The carrier will be provided with a receipt for those records that are removed from the carrier's place of business.

Conducting The Facility Audit

Functioning as a Peace Officer, Federal Hours of Service Inspector and certified Commercial Vehicle Safety Alliance Inspector, Transportation Safety Investigators conduct detailed facility audits of commercial motor carrier records. Under the Powers of Investigation, the audit includes but is not restricted to the examination of corporate files, insurance files, driver files, Hours of Service Records, Commercial Vehicle Safety Alliance Inspection Reports, Periodic Mandatory Vehicle Inspection Reports, documented Disciplinary action, vehicle maintenance records, relevant payroll records, dangerous goods control, and an overall evaluation of management practices related to safety programs.

A Facility Audit or investigation may be conducted by a single auditor or on a team auditor basis, dependent on the size and extent of the requirement. In each case the carrier is requested to provide a suitable working location at the chief place of business. Facility Auditors are highly trained professionals who have extensive knowledge of commercial carrier operations, requirements as they pertain to the *Highway Traffic Act*, (Manitoba), the *Motor Vehicle Transport Act* (Canada), and Regulations made under those *Acts* and the National Safety Code.

The time to complete a Facility Audit will vary due to the number of records selected for audit, which is determined by the carrier's fleet size. The statistically valid sampling of records will cover a two-month period, which will be identified to the carrier. Where violations are identified, the pertinent documents will be copied and used as evidence before the Motor Transport Board or in any prosecution before the courts. Where non-compliance is identified, the auditor(s) will make formal recommendation for enforcement action to the Director of Transportation Safety and Regulation. The carrier is extended due process and may appeal the audit recommendation (s) to the Director, Transportation Safety and Regulation.

Facility Audit Follow-up

Following completion of the audit, the carrier will be provided with a copy of the Summary of Violation, indicating violations to the Acts and Regulations detected during the coarse of the audit. Records, which had initially been removed to conduct the audit, would be returned. The carrier is required to attend a carrier interview at Transportation Safety and Regulation to review the audit findings and at that time, will be provided the opportunity to present additional evidence, refute the findings, comment or give explanation. The interview will conclude with the auditor advising the carrier of the Department's recommendation(s) to dispense with the audit findings. The Department may recommend any one or combination of the following options:

- No action as the carrier has demonstrated acceptable compliance.
- The carrier develops a comprehensive Safety Plan acceptable to the Department.
- The carrier engages a Transportation Consultant to develop and implement an approved Safety Plan.
- Impose a monetary fine to a maximum of $5,000.
- The carrier engages a third party auditor to conduct facility audits based on a schedule determined by the Department. Transportation Safety and Regulation does maintain a list of firms that provide audit services. Carriers however, are free to select a firm not indicated on this list to conduct third party audits for submission to Transportation Safety and Regulation. The costs incurred to engage a third party audit are the responsibility of the carrier. The failure of a carrier to demonstrate an acceptable level of compliance, within a satisfactory time frame, will constitute further action by the Department.
- Make recommendation to the Registrar, Driver and Vehicle Licencing Division, Manitoba Transportation and Government Services, to refuse to register any truck, or combination of vehicles, of a registered gross vehicle weight of 4,500 kilograms or greater, in the name of the carrier.
- Recommend the Motor Transport Board cancel the carrier's operating authority.
- The Director of Transportation Safety and Regulation declare the carrier as unsatisfactory, resulting in the cancellation of the carrier's authority to operate.
- Prior to cancellation of the carrier's authority, the carrier would be provided the opportunity to appeal the unsatisfactory rating at a show-cause hearing before the Motor Transport Board. A carrier seeking re-entry following cancellation or suspension of the authority to operate shall be rated Conditional upon re-entry with no predetermined time limit.
- Facility audit information is quantified and becomes an integral part of determining a carrier's safety rating. It is therefore essential that a carrier demonstrate a high level of compliance to ensure an acceptable safety rating is maintained. Failure to do so, may ultimately lead to a carrier not being permitted to operate as a motor carrier in the Province of Manitoba.

Driver Profile Record Keeping

Driver Qualification File

Carrier Requirement

The carrier is required to set up and maintain a system of files on each driver for the purpose of including driver licence disclosures, accident and violation disclosures, driver record (abstract), annual review of driver fitness, corrective disciplinary action, and certificates of dangerous goods training. The carrier is also required to determine on the basis of this information, training and testing, whether or not the driver is and continues to be fit to drive.

Recommendation

The Transportation Safety Investigation team recommends that the carrier set up an individual driver qualification file for each driver. A checklist of required and recommended documentation could be attached to the cover of each file to assist the carrier in maintaining an up to date file.

Single Driver Licence Disclosure

Driver Requirement

A driver is not allowed to hold at any time, more than one valid and subsisting driver's licence issued by a competent authority in any jurisdiction. Prior to being first engaged by the motor carrier to drive a public service vehicle or a commercial truck having a gross vehicle weight of 4,500 kg or more, the driver must disclose to the motor carrier the name of each province or territory in Canada or state, district or territory of the United States of America in which the driver is licenced, and the class of licence held, whether or not that licence has been suspended, and the name in which each driver's licence is issued. The driver must also disclose, without delay, any suspensions, cancellation, prohibition or change in classification of his driver licence.

Carrier Requirement

The carrier must make record of the driver's disclosure in the driver qualification file.

Recommendation

The Transportation Safety Investigation team has accepted for the purpose of the single driver licence disclosure, a photocopy of the driver's valid driver licence. The driver on renewal of his licence has to make the declaration to Driver & Vehicle Licencing that he/she has no other driver licence from any other jurisdiction. As well, due to Manitoba's vehicle impoundment laws for driving while disqualified, the Transportation Safety Investigator recommends that the carrier make copies of the driver's licence on a quarterly basis, date the copies, and keep two years of copies on file. This has been shown in the past to be accepted as due diligence on the carrier's part to ensure that their drivers have valid driver licences when operating the carrier's vehicles.

Disclosure Of Accidents

Driver Requirement

A driver engaged by a motor carrier to drive a public service vehicle or a commercial truck having a registered gross weight of 4,500 kg or more shall without delay disclose in writing to the carrier particulars of traffic accidents required to be reported under this Act.

Carrier Requirement

The carrier must make record of the driver's disclosure in the driver qualification file.

Recommendation

The accidents required to be reported include all motor vehicle accidents in which the driver has been found to be partially or totally at fault. These include accidents that occur in private vehicles as well as the carrier's vehicles.

Disclosure Of Violations

Driver Requirement

A driver engaged by a motor carrier to drive a public service vehicle or a commercial truck having a registered gross weight of 4,500 kg or more shall without delay disclose in writing to the carrier convictions arising from the operation or having care and control of a motor vehicle.

Carrier Requirement

The carrier must make record of the driver's disclosure in the driver qualification file.

Recommendation

The violations required to be reported include all moving violations in which the driver has been convicted. These include offences that occur in private vehicles as well as the carrier's vehicles.

Driver Record (Abstract)

Driver Requirement

The driver will be required by the carrier to provide a current driver abstract or, if the carrier wishes, sign a waiver allowing the carrier to request an abstract from Driver and Vehicle Licencing on the driver's behalf.

Carrier Requirement

Prior to engaging a person to operate a public service vehicle or a commercial truck having a registered gross vehicle weight of 4,500 kg or more, and annually not later than 60 days after the last day of the month in which the driver's birthday occurs, the motor carrier shall obtain a driving record of the driver from the appropriate jurisdictional authority.

Recommendation

The Transportation Safety Investigation team has allowed motor carriers, on an annual basis, to obtain driver records for all drivers at the same time.

The carrier can use a Driver Record Inquiry Form to have the drivers authorize them to obtain driver abstracts on their behalf.

Annual Review Of Driver Fitness

Carrier Requirement

Prior to engaging a person to operate a public service vehicle or a commercial truck having a registered gross weight of 4,500 kg or more, and annually thereafter the motor carrier shall review the driving record and determine whether or not the driver is fit to be engaged as a driver. The carrier shall make record of the review in the driver qualification file.

Recommendation

The review can range in scope from a formal employee appraisal interview to a dated and signed statement on the bottom of the driver record (abstract). The review must include the date, a statement that the carrier has made the decision that the driver is fit to continue as a driver for the company, and the signature of the person who represented the carrier in making the decision.

Progressive Discipline Policy

Recommendation

In order to demonstrate due diligence, the carrier should establish a program of progressive discipline for company personnel who violate hours of service and other regulations. The program must be consistent with applicable federal and provincial legislation. The carrier should outline the policy and the procedure of discipline, listing the stages up to and including termination. (i.e.: A four-step policy could include, a verbal warning, written warning, suspension, and termination.) The carrier should ensure that: each step of the policy is known by the employees, as each step of the policy is enforced the employee is notified in writing of the next step if the violation re-occurs, and that the policy is enforced in a consistent manner.

Certificate Of Dangerous Goods Training

Driver Requirement

Every driver who transports dangerous goods must be able to produce a valid certificate of training in the handling of dangerous goods issued by the carrier. In Canada, the certificate of training is valid for three years.

Note: In the U.S. the certificate of training is valid for two years.

Carrier Requirement

Every employer, who issues a certificate of training to a trained person, shall retain a copy of the certificate of training for a period of two years, from the date of the expiration of the certificate.

Recommended Additional Documentation

In addition to the required documentation outlined above, the Transportation Safety Investigation team recommends that the carrier does include the following information in the driver qualification files.

- Application for employment
- Reference Check
- Written Test
- Road Test

The carrier may also wish to consider medical, and alcohol and drug testing record.

Hours of Service Record Keeping

The Federal and Provincial Hours of Service Regulations apply to motor carriers, the drivers of public service vehicles and commercial trucks having a registered gross vehicle weight of 4,500 kg or more, and regulated school buses, but do not apply to:

- The transportation of primary products of a farm, forest, sea or lake if driver is employed by the producer; or on the return trip, empty or transporting products used in the principal operation.
- An emergency vehicle
- A vehicle transporting people or goods to provide disaster relief
- A recreational vehicle or vehicle used to transport goods for personal use
- An urban bus transit service
- Any vehicle granted an exemption by the director

The provincial hours of service regulation additionally exempts:

- Any vehicle used solely for the purpose of snow removal by or on behalf of a traffic authority
- A commercial vehicle having a registered gross weight of less than 11,794 kg that is operated in the course of maintaining or making repairs to property of any kind, or another service related trade.

The Federal Hours of Service Regulation applies to any motor carrier that has one or more units that cross a provincial or international border. Carriers that operate solely within Manitoba (intra-provincially) fall under the Provincial Hours of Service Regulation. The Provinces, through an agreement with the Federal government, enforce both the Federal and Provincial Hours of Service Regulations.

Driving Limitations

The 13-Hour Drive Time Rule

No carrier shall request, permit or require a driver to drive, and no driver shall drive a commercial vehicle after that driver has accumulated more than 13 hours of driving time following at least 8 consecutive hours of off-duty time. After 13 hours of driving, a driver must take 8 consecutive hours off-duty in order to be eligible to drive again.

Note:

- In the U.S., the maximum hours drive time available before being required to take eight consecutive hours off is ten.
- In accordance with the regulations, an inspector can put a driver out of service if he appears to be in a fatigued state.

The 15-Hour On-duty Rule

No carrier shall request, permit or require a driver to drive, and no driver shall drive a commercial vehicle after that driver has accumulated more than 15 hours on-duty following at least eight consecutive hours of off-duty time. The 15 hours of on-duty time may be comprised of driving time and on-duty time not driving, with the driver driving no more than 13 hours within that period. A driver, having accumulated a maximum of 15 hours of on-duty time, may not drive a commercial vehicle until the driver has taken at least eight consecutive hours of off-duty time. Following this rest period, the driver may once again drive a commercial vehicle.

Note:

- Legislation does permit a driver to exceed the prescribed driving time and on-duty time in an emergency condition, which would threaten the safety of the commercial vehicle, the occupants of the vehicle or cargo. A driver may also exceed the prescribed driving time by no more than two hours in situations where adverse weather conditions would delay a trip.

Required Rest

The driver is required to have eight consecutive hours of off-duty time after 13 hours driving or 15 hours of on-duty time before he becomes eligible to drive a commercial vehicle again. The eight consecutive hours may be a combination of off-duty and sleeper berth time. A driver may also take the required eight consecutive hours rest in the sleeper birth or split the sleeper birth time into two periods. A reduced rest provision is available once in a seven day period.

Sleeper Berth Exception:

If the vehicle has a sleeper berth, the driver may accumulate the 8 hours rest in two periods of time in the sleeper berth providing:

- Neither period is less than two hours.
- The total time spent in the sleeper berth immediately preceding and following the drive time is at least eight hours.
- The total drive time before and after each rest period does not exceed 13 hours.

Reduced Rest Provision:

A driver may once in seven days reduce the required eight hours rest to not less than four hours rest if:

- Preceding the reduced rest, the driver has not been on-duty more than 15 hours.
- The difference between the required eight hours and the reduced number of hours taken off is added to the next eight consecutive hours of rest.

Note:

- The reduced rest provision is not available to a driver who is in violation of any driving or on-duty limits until the driver has taken a minimum of eight consecutive hours off-duty.
- Bus seating is not defined as a sleeper berth.
- A driver can not log sleeper berth time using the driver or passenger seat area. It must be in the sleeper berth itself. A sleeper berth must be designed, constructed, and maintained in accordance with good industry practices.
- Sleeper berth time and off-duty time can be combined to obtain the required eight hours rest if the eight hours is consecutive.

Driving Cycles

To address the cumulative effect of fatigue, the hours of service regulations include maximum accumulated on-duty time for each cycle. The allowable cycles in Canada are:

- 60 hours on-duty in seven days, or
- 70 hours on-duty in eight days, or
- 120 hours on-duty in 14 days providing that the driver takes 24 consecutive hours of off-duty time before accumulating 75 hours of drive time.

The cycle hours are calculated by adding the on-duty hours of the current day to the on-duty hours of previous seven, eight or 14 days and subtracting the on-duty hours of the oldest day of the cycle. There is no reset as the cycle continually slides, adding the current day and subtracting the oldest day of the cycle. The driver may choose any cycle, with the option of moving from cycle to cycle. The driver is only in violation when driving in excess of all three cycles simultaneously.

Note:

- Drivers do not have to declare which cycle they are using. They must be in compliance with at least one cycle. There is no procedure to follow when switching from one cycle to another.
- Cycle hours are calculated using days beginning and ending at midnight.
- The USA does not recognize 14 day cycles.

Permit Extending Driving Time and On-duty Time

The Director, Transportion Safety and Regulation, may, by permit, authorize a motor carrier to increase the driving time and/or on-duty time available to a driver. The motor carrier, having chosen to file for an hours of service permit, is required to develop a comprehensive business case proposal for submission to the director. The director will assess the applicant's proposal as it relates to the possibility of compromising safety. If approved, a permit is issued for a period of not more than one year. A breach of permit may result in cancellation of the permit upon two days' notice to the motor carrier.

Winter Roads Permit

Winter roads permits are issued based on the low volume of traffic on the winter roads system, the lack of adequate safe rest areas, the risk of inclement weather conditions, and the urgency of re-supplying isolated northern communities. In consideration of these unique conditions, winter roads permits are issued to commercial carriers to extend the driving time a commercial driver may drive while operating on the winter road system.

The permit allows a driver to drive in excess of the 13 hours driving and the 15 hours on-duty limitations while on the winter road system and to reach the driver's home terminal or safe place to rest within four hours after leaving the winter road system.

Additionally the driver after eight hours rest, may exceed the cycle limits (60 hours in seven days, 70 hours in eight days, or 120 hours in 14 days) when in transit to or from the winter road system. The driver must be able to produce documentation showing the delivery point on the winter road system.

Drivers are required to maintain and file logbooks. Time driven on the winter road system should be noted in the remarks section of the daily log as "winter road". The permit does not apply beyond the provincial border. The driver, after finishing winter road duties, must have enough off-duty time to come into compliance with the Hours of Service Regulations before resuming operation of a commercial vehicle on a highway.

Log Books

Required Information

The motor carrier is required to ensure drivers maintain true and accurate daily logs. A motor carrier may wish to implement some form of internal audit process to ensure that drivers are completing logbooks as required.

The daily log must contain the following required information:

- completed prescribed graph grid
- the date
- the driver's name, legibly printed
- the odometer reading
- the truck, truck tractor, or bus licence plate number or unit number(s)
- the licence plate number or unit number(s) of the trailer(s)
- the name(s) of the motor carrier for whom the driver works
- the signature of the driver
- the name of the co-driver, legibly printed

- the time in the 24-hour period when the driver's on-duty time commenced if the time is other than 12:00 midnight.
- the address of the chief place of business of the motor carrier for whom the driver is employed/engaged during the work day
- the total distance driven
- the total time in each duty status

The graph grid has to be completed in a prescribed manner.

a) a continuous line is drawn between the appropriate markers for each 24-hour period in the appropriate grid to record the period of time when the driver is:
   i) off duty
   ii) sleeper berth
   iii) driving
   iv) on duty, not driving
b) the name of the city, town or village or location on a highway, and the province or state where each change of duty of status occurs
c) the graph grid is to be updated at the end of each change in duty status
d) all stops made in any city, town, village or highway location may be aggregated and recorded as one stop
e) at the end of each day the total number of hours in each duty status shall be entered in the space to the right of each graph grid below the phrase "total hours" and shall add up to 24 hours.

Note:

- Drivers must prepare and maintain logs in the time zone of the driver's home terminal.
- If an activity is less than eight minutes, the activity should be identified by drawing a line down into the 'remarks' section with the location and an explanation of the activity. If the on-duty activity is greater than 8 minutes and less than 15 minutes, the driver will log the activity in a 15-minute increment.
- Drivers making multiple stops in a town or city may combine the on-duty time or driving time into single lines on the log. The driving time between such stops should be entered on the log at the conclusion of the driver's last stop.
- Every motor vehicle is required to have a working odometer. A hub-meter reading is acceptable in lieu of an odometer reading.
- The daily log begins and ends at midnight. (24:00 hours)
- A driver must sign the log, certifying that the information provided is true and accurate.
- A driver must indicate the city, village or town and provincial/state reference at each duty status change. While provincial and state references may be abbreviated, names of cities, villages and towns must be written out in full.

Logbook Exemption

A driver is exempt from having to maintain a logbook under the following three conditions:

- The driver operates within a 160 km radius of driver's home terminal, and
- The driver's work shift does not exceed 15 hours, and
- The motor carrier maintains a record of the driver's shift start and finishing times

The exemption from having to keep a logbook does not exempt a driver from being in compliance with the Hours of Service Regulations, it applies only to the requirement of maintaining a logbook.

On-board Recording Device

An electronic or mechanical recording device is permitted in lieu of the driver maintaining a manual log, if the device provides all the required information. The device must automatically record when it is disconnected or tampered with, and visually or audibly warn the driver when the device malfunctions. The driver must be ready to manually prepare log forms should the device malfunction. Upon request of a peace officer, the driver must be prepared to complete manual logs using the information stored in the device for the period of the declared cycle.

Carriers may choose to maintain data downloads of driver log information for a minimum period of six months, thereby meeting the record retention requirement.

Possession Of Logs and Support Documents

Drivers required to maintain logs must, at a minimum, possess a log for the current day and the previous seven days. A driver, who declares operating in the eight-day or 14-day cycle, must possess a log for the current day and the those of the declared cycle.

Drivers who have been off duty for several days may on their return to work, log consecutive off-duty days on a single log.

When requested by a peace officer, the driver must without delay produce his logs and trip documentation. Such documentation would include trip reports, Bills of Lading, other shipping documents in addition to receipts for fuel, accommodation and other expenses.

Periodically, a logbook exempt driver may be required to travel beyond the 160 km radius. As such, the driver is required to maintain a log for that particular trip and be ready to present the hours worked for the previous seven days, if demanded by a peace officer. The driver may in this case, prepare a log indicating the number of on-duty hours for each of the previous seven days. The following sample is provided.

June 10	city work	8 hours	**June 14**	off-duty	–
June 11	city work	12 hours	**June 15**	city work	8 hours
June 12	city work	12 hours	**June 16**	city work	8 hours
June 13	off-duty	–			

Record Keeping

The driver is required to submit the completed log to the carrier within 20 days. A driver who is in the employ of two or more carriers is required to provide each carrier with a copy of all logs. This will enable each carrier to monitor the driver's hours of service for dispatch purposes.

Carrier Responsibilities

Due Diligence

The Hours of Service Regulations place responsibility on the motor carrier to ensure that all company drivers and owner/operators engaged on behalf of the carrier comply with the hours of service regulations. A carrier's failure to demonstrate due diligence to ensure drivers are in compliance may result in charges being filed. The Department's enforcement options are outlined in the Enforcement & Penalties Section.

Due diligence is not simply a matter of doing the right thing. A carrier must have the necessary systems, policies and practices in place to identify and rectify issues of non-compliance. While issues of non-compliance will always exist, the carrier must continue to do what is reasonably expected. It is critical that corrective actions be documented to support the claim of due diligence.

Proactive Measures

A carrier's proactive approach is a key component of the Hours of Service management program. The carrier should develop and implement written policies and procedures to ensure compliance with the regulations. While demonstrating due diligence, the carrier has the ability to undertake corrective action through the application of the pre-determined disciplinary process. The driver, while required to be compliant with existing regulations, does maintain the right to refuse work that would place him/her in a position of non-compliance.

A carrier's internal policies must be specific in addressing this right to preclude the possibility of incidences involving coercion.

Effective training of operational staff responsible for driver supervision and dispatch in addition to drivers, is an integral component of a safety management program. Personnel must have knowledge and understanding of the regulations and be aware of the policies, procedures and available options. Training new drivers and re-training of existing staff, who have demonstrated a continuing pattern of violations, is paramount in achieving a high level of compliance and realizing minimal intervention from enforcement agencies.

The carrier must ensure that drivers are only dispatched when there is a sufficient number of on-duty hours available to complete a trip. A system to monitor driver on-duty time is therefore essential. A driver calling the company dispatcher on a daily basis with the accumulated hours for the previous day and the dispatcher keeping a record of these hours would constitute the basis of an hours of service tracking system. From the information provided by the driver, the dispatcher would be able to calculate the driver's available hours remaining in the declared cycle.

Reactive Measures

The carrier must have the necessary tools available to enact reactive measures. The application of a self-audit program, timely reviews of driver records, driver disclosures/non-disclosures and the carrier profile will assist in identifying inappropriate behavior. Corrective measures may include re-training and/or disciplinary action, as identified in the carrier's disciplinary process. The failure to take corrective action does not constitute due diligence, and will perpetuate the cycle of non-compliance.

Self-audit

A self-audit program is an integral component of a carrier's safety program. It provides the carrier with the ability to readily identify areas of non-compliance. The audit would involve the review of driver logbooks, support documentation such as fuel and logging receipts, and any other relevant documentation. It is important that the findings be documented to substantiate any corrective/disciplinary action taken. The sample size of the self-audit will vary due to the size of the company. A small carrier may choose to audit all driver logs, whereas a large company may audit a portion of the drivers for a selected period of time.

Driver logbooks should be audited to ensure that:

- There is a log for every day
- Logbooks are complete with all required information
- Drivers are in compliance with the regulations (13/15 hour and the cycle limitations)
- The logs are true and accurate when compared to support documents such as dispatch records, fuel receipts, payroll, bills of lading
- Logs are true and accurate when analyzed with a distance over time check
- On-duty time logged by the driver agrees with the driver's statement of hours or payroll submission.

Corrective Action

Corrective action may take the form of re-evaluation and assessment, retraining, or application of the disciplinary process leading up to and including dismissal. It should be part of a carrier's safety plan and consistent with the applicable federal and provincial legislation. Employees must be aware of its existence in the Safety Plan. A carrier may choose to have new employees acknowledge that they have been informed of the carrier's disciplinary policy at the time of hire, in addition to having a copy of the policy in plain view for all employees to see.

The disciplinary process should be progressive in nature. It may be initiated with a verbal warning and escalate to written warnings, suspensions and ultimately termination. The carrier should also identify offences that would warrant immediate termination.

Record Keeping

The carrier is required to maintain driver logbooks and support documents for a period of six months. These records must be kept in a neat and orderly manner, at the carrier's chief place of business in Manitoba. The carrier is required, on request by a Peace Officer, to produce these records during normal business hours. A Peace Officer is not required to give the carrier prior notice regarding such demands for inspection. Carriers are responsible for keeping track of driver's daily on-duty hours if that driver is exempt from keeping logbooks.

Enforcement & Penalties

Drivers

Drivers who are in violation of the Hours of Service Regulations are subject to charges heard in Provincial Court.

Drivers on the road who can not produce logs for the current and previous seven days are subject to being placed Out of Service for a period of eight hours. Drivers driving beyond the Hours of Service limitations are subject to temporary licence suspension at the roadside until enough time has elapsed so that they are in compliance.

Motor Carriers

Violations of Hours of Service Regulations that result in convictions will have a negative impact on the carrier's Carrier Profile. An accumulation of these convictions, solely or in combination with convictions for any other type of offence under the *Highway Traffic Act*, may result in the carrier being identified by Carrier Profile as a facility audit candidate.

Mechanical Fitness Record Keeping

Record Retention Requirements

1. Records of Routine Maintenance	2 Years
2. Records of Vehicle Repairs	2 Years
3. Records of Government Commercial Vehicle Inspections	2 Years
4. Records of Manufacturer Recalls and Actions	2 Years
5. Pre- and Post-trip Inspection Reports	3 Months

Carrier's Requirements

A carrier shall ensure that all public service or commercial vehicle(s) having a gross vehicle weight of 4,500 kg or more be inspected according to the regulations and be maintained in safe operating condition. No vehicle to be operated on a public highway by any owner or driver unless this condition is fulfilled.

Preventative Maintenance Program

The carrier shall develop and implement a preventative maintenance program (safety plan) to insure compliance with the regulations governing the safe operation of vehicles upon a highway, and that no vehicle is dispatched in unsafe condition.

Pre-trips

The first step in any preventative maintenance program is the pre-trip inspection by the driver or any other person so designated to perform this duty by the company. The Commercial Motor Vehicle and Trailer Trip Inspection Regulation (Manitoba Regulation 112/96) mandate this inspection requirement.

The inspection report must be in writing and contain the number plate or unit number of the truck and or trailer being inspected, date of inspection, defects identified, and name and signature of person conducting the inspection.

It is the responsibility of the carrier or his designate to complete the required repairs to the vehicle(s) prior to its dispatch.

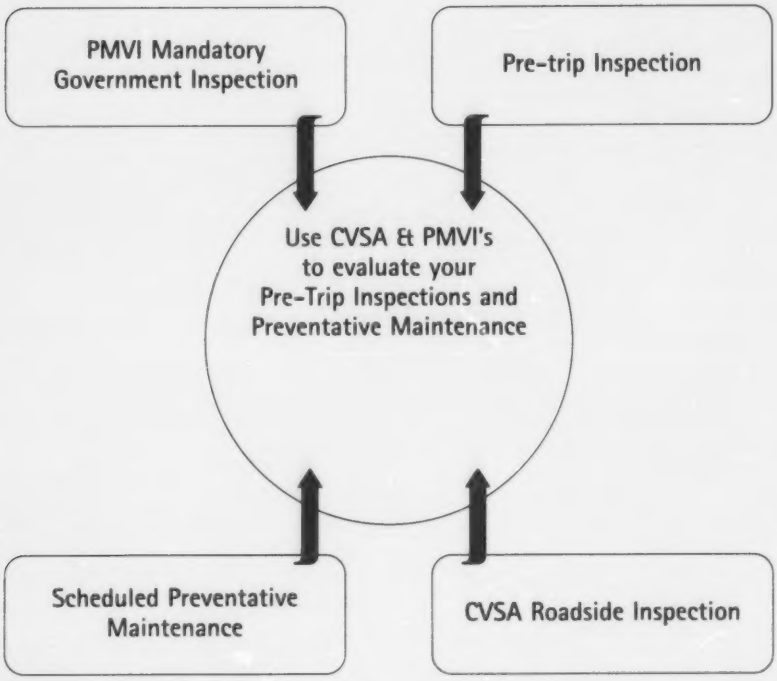
Exemptions: No written inspection report is required when the vehicle(s) are operated within an area 160 km radius of the carriers place of business or a commercial vehicle other than a school bus which is the only commercial motor vehicle operated by the carrier and whose only driver is an individual who is also the carrier or controls the corporation that is the carrier.

Preventative Maintenance

The second step is to design a program to provide for regularly scheduled maintenance. This would establish criteria of when to schedule vehicle(s) for regular maintenance such as oil and filter changes and lubrications as well as intermediate inspections of key components such as brakes, hoses etc. The carrier may consider the manufacturers recommended maintenance schedule when determining their program. Another element is to schedule major inspections to compliment those required under the Periodic Mandatory Vehicle Inspection Regulation.

The carrier must maintain a record of all service completed on each vehicle for a period of two years and for six months after a vehicle has left the control of a carrier to be in compliance with the National Safety Code. The records must contain a description of the service or repairs completed along with the date and mileage of the vehicle. In addition to repair records the carrier must retain CVSA inspection certificates, copies of PMVI inspections, pre-trip inspections and manufacturers recall notices. The carrier should maintain a separate file for each vehicle.

Pre–trip Inspection • Process Flowchart



Periodic Mandatory Vehicle Inspection Regulation (PMVI)

The PMVI is a requirement under the Periodic Mandatory Inspection Regulation. The vehicles required to be inspected under this regulation include buses, trucks, truck tractors, trailers, semi-trailers and trailer converter dollies. The inspection may only be conducted by shops which hold permits issued under the Inspection Station Operators and Qualified Mechanics Regulation.

Regulation 76/94 applies to trucks, truck tractors, trailers, semi-trailers and converter dollies having a gross vehicle weight of 4,500 kilograms or more, and buses having a seating capacity of 11 or more passengers, including the driver.

Trucks, with a gross vehicle weight between 4,500 and 21,953 kilograms, and trailers are required to be inspected on an annual basis.

Trucks, with a gross vehicle weight of 21,953 kilograms and over, are required to be inspected at six-month intervals.

If, on completing the inspection, the inspection mechanic is satisfied with compliance he will complete and issue a certificate and affix the PMVI inspection decal to the vehicle in respect of which it was issued.

No vehicle may be driven on a highway without a valid inspection decal.

Exemptions: Trailers converted to mobile living quarters, new vehicles in transit from manufacturer facilities to wholesaler or dealer, buses for personal use, vehicles restricted to use on highways in and adjoining remote communities and vehicles registered as antique vehicles.

Commercial Vehicle Safety Alliance Inspections (CVSA)

CVSA inspections are inspections conducted on vehicles on the roadside or at the carrier's premises by individuals who have been certified as inspectors under the CVSA program. The inspectors may be from various agencies including Royal Canadian Mounted Police, City of Winnipeg Police, Transport Compliance and Transportation Safety and Regulation. The inspections are conducted in accordance with the criteria outlined in the Commercial Vehicle Safety Alliance. The inspections are conducted at random on the roadside or may in certain instances be arranged with the carrier to be conducted at the carrier's premises prior to commencement of an audit. The inspection may also be prearranged with the carrier where a complaint has been received regarding the condition of the carrier's vehicle(s).

Carriers are encouraged to take a pro-active approach towards vehicle maintenance. The department offers to conduct full-scale level five CVSA inspections of the carrier's fleet at the carrier's premises for the purpose of evaluating the effectiveness of the maintenance program in place. During these inspections, no charges would be laid against the carrier or any driver by the department for failed or out-of-service conditions identified. However, the results of the inspections would be recorded in the Carrier Profile System. The benefits to the carrier include no down time and free inspections. Level one is a complete inspection including driver. An additional benefit to the carrier is more information from which to evaluate the effectiveness of its maintenance program.

Inspection Levels

Level 1 • Complete vehicle inspection with the driver.

Level 2 • Driver and vehicle walk around.

Level 3 • Driver only inspection.

Level 4 • Special inspection of one or more components.

Level 5 • Complete vehicle inspection without driver.

The results of the inspections may result in the carrier receiving a pass. A vehicle passing a Level 1 and 5 inspection would receive a CVSA decal. This sticker is valid for three months and usually exempts the vehicle from further inspections of this type during the period of validity unless there is an obvious defect present.

A second result could be a failed conditional, which would indicate defects present. The operator would receive a copy of the inspection form with instructions the vehicle must be repaired prior to its next dispatch. A copy of the inspection form must be signed by the repairer (mechanic) and forwarded to the appropriate office within 15 days of the inspection.

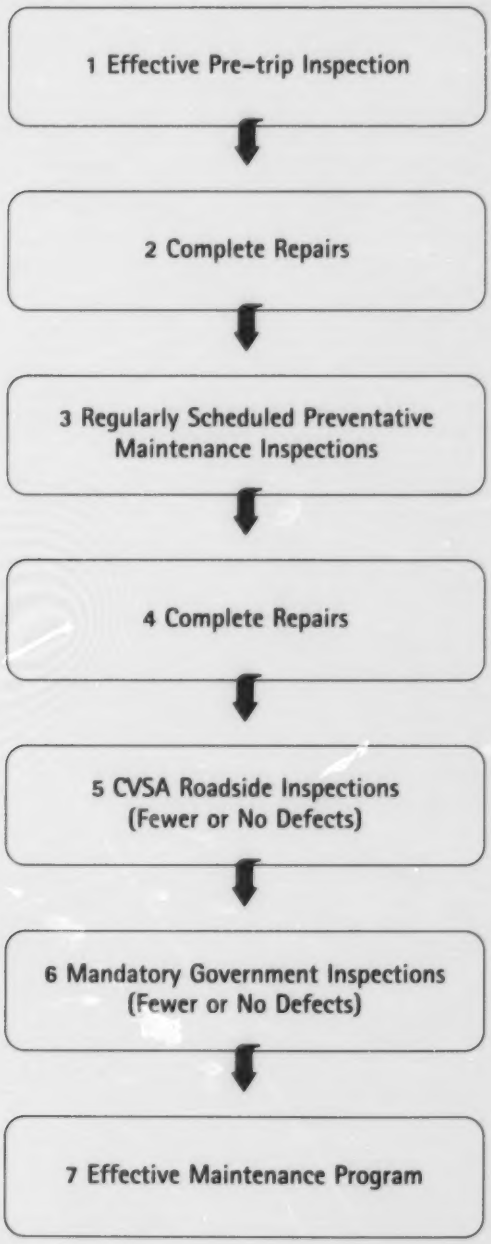
The third result of the inspection could be to place the vehicle out-of-service. This would result in the vehicle being immediately taken off the road until the defects have been repaired. If the carrier can complete the repairs on site the vehicle would be re-inspected and if satisfactory the vehicle would be allowed to proceed. If the repairs are such that on site is not possible the vehicle may only be removed to the nearest repair site by a tow truck or in the accompaniment of the inspector. The carrier may not dispatch the vehicle until all the required repairs have been completed. The copy of the inspection form signed by the mechanic must be returned to the appropriate office within 15 days of the inspection.

Evaluation of the Carriers Preventative Maintenance Program

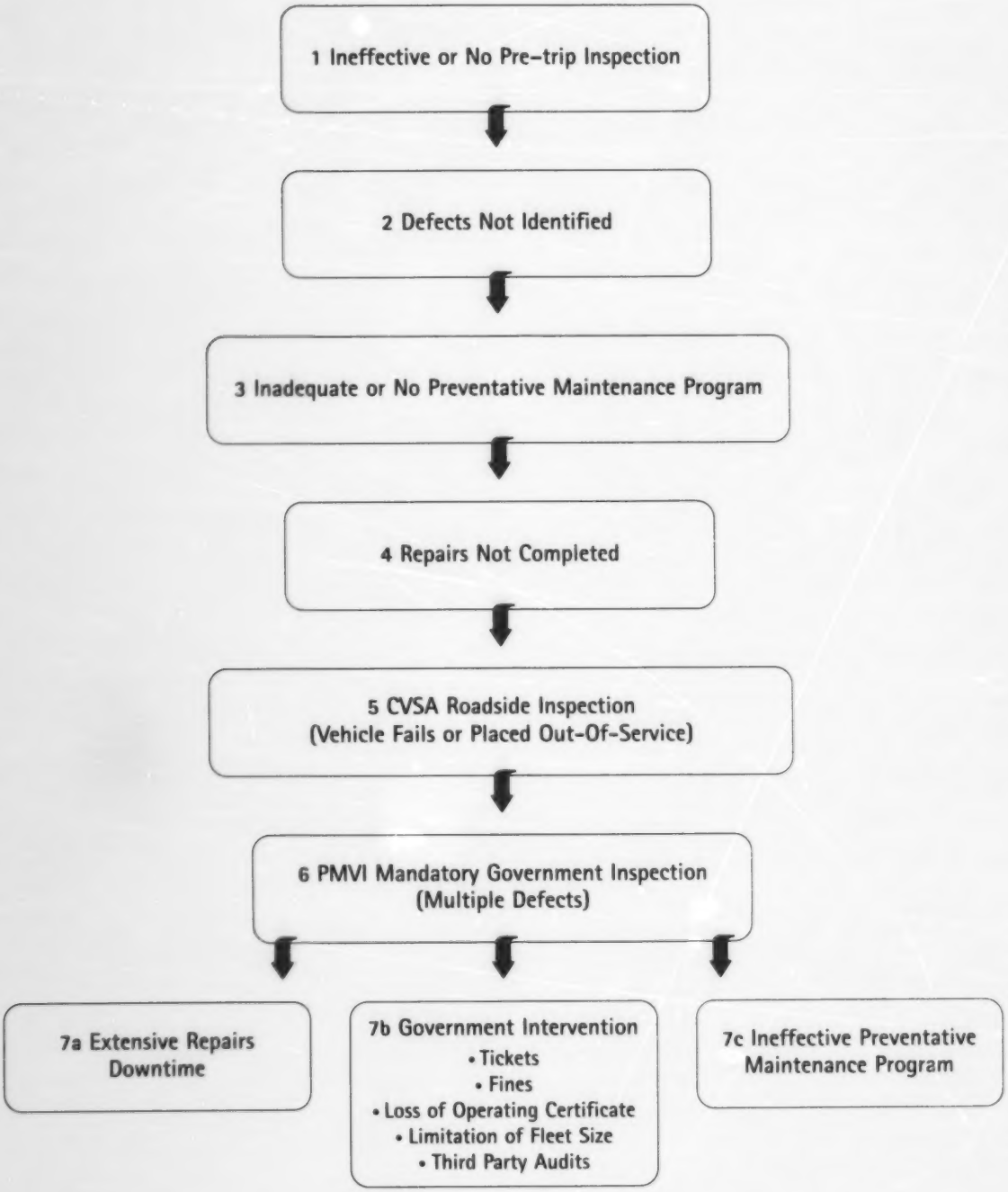
With any maintenance program, there is a requirement to evaluate the effectiveness of the program in maintaining a carrier's fleet of vehicles in safe condition. The carrier can assess the effectiveness of the pre-trip inspection by the number of defects, which appear on the roadside inspections and on the PMVI inspections. If there were significant reductions in the number of defects, which are identified by CVSA and PMVI inspections, the indication would be that the carriers pre-trip inspections are working. On the other hand increased defects or no reduction in defects would indicate a problem with the pre-trip inspection and a need for re-training of the drivers.

In addition to using the CVSA and PMVI inspections as an assessment tool, the carrier may request a copy of his or her Carrier Profile from Transport Safety and Regulation. This report supplies the carrier with a list of all tickets, CVSA inspections and accidents assessed against the carrier. There is no charge to the carrier for this report. Effective preventative maintenance inspections by the carrier could also have a positive effect in reducing the number of defects detected by roadside and mandatory inspections resulting in few failures and out-of-service conditions. The biggest benefit is usually less down time and cost savings for the carrier. It is always less expensive to make repairs at the carrier facility than on the road.

Example of an Effective Maintenance Program • Process Flowchart



Example of an Ineffective Maintenance Program • Process Flowchart



Compliance and Regulatory Services

Objectives

This Branch exists to enhance public safety, promote the economy, support sustainable development and to protect Manitoba's investment in highway infrastructure through the development, administration and communication of programs, services and regulations that facilitate the movement of commercial vehicles in a safe and efficient manner, and promote uniform compliance with provincially, federally and internationally accepted standards.

Responsibilities

Permit Services

Ensures safe movement of over-dimensional vehicles and overweight loads in accordance with permit provisions to minimize strain on highway infrastructure. As well, the section issues Single Trip Certificates to carriers from other jurisdictions who are not licensed for Manitoba. For more information, contact Oversize/Overweight and Licencing Permits as listed in the Contacts section at the back of this book.

Compliance Services

Specific safety initiatives include weights and dimensions, mechanical and equipment safety, driver and vehicle licensing, driver hours of service, security of vehicle loads, driver training, and dangerous goods transportation. These initiatives are delivered by Compliance Inspectors working at Provincial Weigh Stations, and Highway Patrol Units deployed throughout Manitoba. Contact the Compliance and Regulatory Services office as listed in the Contacts section at the back of this book for more information.

The United States (General Information)

Hours Of Service

While driving in the United States, drivers are required to comply with the Hours of Service Regulation (Part 395) as outlined in the Federal Motor Carrier Safety Regulations.

Logbooks

The logbook format in the U.S. remains consistent with that in Canada. Distances may be recorded in kilometers when identified as such.

Driving Limitations

In the United States, a driver may drive a maximum of ten hours after eight hours rest, whereas a driver driving in Canada may drive a maximum of 13 hours after eight hours rest. Both models would extend a maximum of 16 hours of drive time in a 24-hour period. While both the U.S. and Canada Regulations permit the same 15 hours on-duty limitation and rest requirements, the U.S. does not acknowledge the Canadian exemption for reduced rest once in seven days.

Like Canada, the accumulated driving time in the U.S. is limited to 60 hours on duty time in seven consecutive days or 70 hours on duty in eight consecutive days. The U.S. does not recognize the 120-hour in 14-day cycle, as in Canada. Drivers entering and traveling in the United States must have on-duty/driving hours available to them in either the seven- or eight-day cycle. Drivers can switch between cycles at their discretion.

Drug Testing

Since July 1, 1997, drivers operating commercial vehicles for Canadian based carriers who are operating into the U.S. are subject to the U.S. drug and alcohol testing regulations. These regulations are defined in the Federal Motor Carrier Safety Regulations, Part 382, Controlled Substances and Alcohol Use and Testing. Due to their complexity, carriers operating into the U.S. are advised to obtain a copy from their provincial trucking association. A brief overview of these regulations is provided below.

No carrier shall permit any driver and no driver shall perform safety sensitive functions, including driving a commercial motor vehicle, when the driver has used any controlled substance.

Every carrier must:

- Have a workplace policy which is communicated to its drivers. It should clearly set out fair standards of performance, the consequences of a violation, details of an employee assistance program and under what circumstance termination of employment can occur.
- Provide training for supervisors including the symptoms of substance abuse, problem identification and intervention techniques.
- Provide an Employee Assistance Program including printed materials and videos.
- Prior to hiring, with the applicant's consent obtain the testing history from previous employers for the past two years.
- Remove from service, any driver who is in violation of the regulation
- Prepare and maintain specified records required by the regulation
- Require drivers to take specified tests in accordance with the regulation

Testing

The regulation mandates testing for marijuana, cocaine, opiates, amphetamines, and phencyclidine. Drug testing through urine analysis is performed at DOT certified laboratories. A qualified Medical Review Officer confirms positive results.

The regulations prohibit alcohol use four hours prior to commencement of on-duty: for up to eight hours following an accident when an alcohol test is required: on-duty use or possession of alcohol, or having a blood alcohol level of .02 or greater while on-duty. Alcohol testing can only be conducted immediately before, during or immediately after the performance of safety-sensitive duty, including driving. Testing for alcohol must be done by using an approved evidentiary breath testing device operated by a trained technician and in association with a duty period.

A Driver is subject to drug testing:

- As a condition of pre-employment,
- Where there is reasonable suspicion based on specific observations concerning the appearance, behavior, speech or body odors of the driver,
- Post accident–(involving a fatality or, injuries requiring medical treatment away from the accident site, or either vehicle involved is towed and the commercial driver receives a ticket for a moving violation). If the carrier is not able to administer alcohol testing within two hours following the accident, the carrier must prepare and maintain a written report indicating the reason for a drug test not being administered. If the test is not performed within eight hours, the carrier shall cease attempts to conduct the test and shall maintain a written report indicating the reason the drug test not being administered.
- A carrier performing random testing. This may equate to a sampling of 25% of drivers being tested for alcohol and 50% for use of drugs. Random drug testing should be triggered when a driver is on-duty or reporting for duty.
- On return to duty after removal for prohibited conduct, and
- Randomly, for a minimum period of one year upon return to duty, after an assessment by a Substance Abuse Professional has identified the need to resolve a problem with alcohol or drug abuse. A Substance Abuse Professional means a physician, psychologist, social worker or an addiction counselor.

Record Keeping

Records must be available at the carrier's chief place of business or be made available within two business days after the request by an agent with regulatory authority over the carrier or any of its drivers. The records shall be released to a subsequent employer upon receipt of a written request from a driver.

Retention of Records

Alcohol test with a concentration of less than 0.02	1 year
Records of negative and canceled controlled substances test results	1 year
Records related to alcohol and controlled substances collection process & training	2 years
Results of alcohol tests .02 or greater	5 years
Positive controlled substances test	5 years
Driver evaluation and referrals	5 years
Documentation of refusals to submit to test	5 years
Calibration documentation	5 years
Copy of each annual calendar year summary	5 years

Penalties

Carriers can be fined $500 U.S. to $10,000 US per violation for non-compliance.

Medical Reciprocity

Canadian drivers holding a valid Canadian commercial drivers licence are no longer required to hold a U.S. DOT medical examiner's certificate. Medical and physical fitness is addressed through the Canadian licence process.

Note: Unlike Canada, the U.S. does not permit drivers requiring insulin injections or with limited use of one eye to operate commercial vehicles.

Appendix A • Glossary of Terms

Average Fleet Size
The average number of commercial vehicles, excluding trailers, under the motor carrier's responsibility, base plated in Manitoba over the preceding 24 months.

Base Jurisdiction
The jurisdiction where the commercial vehicle is plated.

Bus
As defined by the Periodic Mandatory Vehicle Inspection Regulation, means a motor vehicle designed for carrying 11 or more persons including the driver, other than a motor vehicle in a public transportation system owned by, or operated on behalf of the City of Winnipeg or the City of Brandon.

Carrier
As defined in the Commercial Motor Vehicle and Trailer Trip Inspection Regulation, means the person who is responsible for managing the operation of the commercial motor vehicle and any trailer attached to it including its operations in relation to the transportation of the goods or passengers, if any, to be carried by the commercial motor vehicle or trailer.

Commercial Motor Vehicle
As defined in the Commercial Motor Vehicle and Trailer Trip Inspection Regulation, means

a) A motor vehicle with a GVWR or 4,500 kg or more that is a public service vehicle or commercial truck,
b) A bus with a seating capacity of 11 or more, including the driver, that is used for the transportation of persons or property on a highway for gain or compensation, or
c) A school bus.

Commercial Truck
As defined in the *Highway Traffic Act*, means any truck not a public service vehicle, except;

a) a truck operated by or on behalf of the government, or a municipality, school board, or other public body,
b) a truck operated
   i) in, or within 30 kilometers of, any city, town or village, other than The City of Winnipeg, in which the registered owner thereof has his place of business, or
   ii) where the owner thereof has his place of business in The City of Winnipeg, in, or within 20 kilometers of, The City of Winnipeg,
c) a farm truck,
d) a truck used for transporting gravel, sand, or other material for use in
e) the construction or maintenance of a public highway, and a truck which the board, after examination of the circumstances, certifies in any year is not to be regulated, either as a public service vehicle or a commercial truck, in that year.

Commercial Vehicle Safety Alliance (CVSA)
An international agreement establishing standards for on-road inspection of SAFETY ALLIANCE (CVSA) commercial motor vehicles; it is designed to remove potentially hazardous vehicles or fatigued drivers from the highways, and to identify carriers who are operating in violation of federal or provincial legislation.

Conviction
Any violation where the driver or motor carrier is convicted or issued a voluntary penalty.

Detention
Any violation that results in the driver or commercial vehicle being placed out-of-service according to CVSA criteria.

Driving Time
As defined by the Drivers Hours of Service Regulation, means the period during which a driver is at the controls of a commercial vehicle which is in operation.

Extra-Provincial Motor Carrier
A motor carrier which has crossed a provincial or international border on at least one occasion.

Farm Truck
As defined by the *Highway Traffic Act*, means a truck owned by a farmer.

Fleet Size
The number of commercial vehicles, excluding trailers, under the motor carrier's responsibility.

Intervention
The act of notifying a motor carrier of problems and potential safety risks on the basis of information at hand; frequently combined with the offer to assist in developing solutions.

Intra-Provincial Motor Carrier
A Manitoba based motor carrier, which has and continues to operate exclusively within the borders of Manitoba.

NSC Carrier Identification Number
A unique nine-digit number issued to a carrier which is recorded on the vehicle license and registration forms of the commercial vehicles for which he is responsible; it is a central reference point for accident, inspection, contravention, warning and other data as required by the Carrier Profile System (CPS).

NSC Carrier Improvement Interventions
Administrative action taken towards a carrier who is under review, through the performance rating process with the intent of impressing upon the carrier the need to implement corrective measures. They may include warning letters, carrier review interviews and facility audits, but will not include punitive sanctions.

NSC Carrier Profile
A detailed record of the safety performance of a carrier's fleet within a 2 year window. Data includes: CVSA Inspection results, Facility Audit results, Convictions, and At-fault accidents. It is presently available to a carrier either on request or as part of a Carrier Improvement Intervention.

NSC Carrier Sanctions
Depending on the severity of non-compliance encountered, the Minister, represented by the Director of Transportation Safety and Regulation, may initiate administrative sanctions against the carrier in the form set out in Section 322 of the HTA.

On-duty Time
As defined by the Drivers Hours of Service Regulation, with respect to the driver, means the time from the time a driver begins readiness to work or is required by the carrier to be in readiness to work until the driver stops work

or is relieved of his job responsibilities by the carrier and includes the time spent by the driver

a) checking in or preparing reports at the commencement or termination of a work shift,
b) inspecting, servicing, repairing, conditioning or starting a commercial vehicle,
c) driving a commercial vehicle,
d) traveling as one of two drivers, except the time that the driver spends resting en route in a commercial vehicle equipped with a sleeper berth,
e) participating in the loading or unloading of a commercial vehicle,
f) inspecting or checking the load or a commercial vehicle,waiting, at
g) the request of the motor carrier by whom the driver is employed or otherwise engaged, for a commercial vehicle to be serviced, loaded or unloaded,
h) waiting for a commercial vehicle or load to be checked at a customs or weighing check-point,
i) traveling as a passenger in a commercial vehicle, at the request of the motor carrier by whom the driver is employed or otherwise engaged, to a work assignment, where the driver has not had eight consecutive hours of off-duty time immediately prior to departure,
j) waiting at an en route point because of an accident or other unplanned event, and
k) performing any other work in the capacity or employ of a carrier.

Periodic Mandatory Vehicle Inspection Program (PMVI)

A designated program of Manitoba Transportation and Government Services to provide for periodic inspection of commercial motor vehicles to ensure that they comply with minimum legislated standards of maintenance and repair.

Public Service Vehicle

A motor vehicle or trailer operated by or on behalf of any person, for the transportation for gain or compensation of persons or property upon the highway, and includes a semi-trailer truck; but does not include the passenger-carrying motor vehicles of an electric or steam railway or motor bus company operating on the streets of a city, or school buses, ambulances, or hearses or motor vehicles operated for gain or compensation under the Taxicab Act or a municipal by-law in cities, towns, and villages.

Public Service Vehicle

As defined by the *Highway Traffic Act*, means a motor vehicle or trailer operated by or on behalf of any person, for the transportation for gain or compensation of persons or property upon the highway, and includes a semi-trailer truck; but does not include the passenger-carrying motor vehicles of an electric or steam railway or motor bus company operating on the streets of a city, or school buses, ambulances, or hearses or motor vehicles operated for gain or compensation under *The Taxicab Act* or a municipal by-law in cities, towns, and villages.

Reportable Accident Sanction

Any accident resulting in damage over $1,000, personal injury, or death.

Sanction

A provision in law prescribing a penalty for non-compliance or the application of force to compel compliance with legal obligations.

Violation

A breach of rule, law or regulation in which a judicial conviction may, or may not have been imposed.

Appendix B • Government Departmental Responsibilities

The following identifies the responsibilities of the different branches of government.

Transportation Safety and Regulation • Transportation Regulation Division

- Carrier Profiles
- Facility Audits
- Safety Ratings
- Insurance
- Special Investigations
- Hours of Service (Federal and Provincial)
- Safety Fitness Certificates

Compliance and Regulatory Services Branch • Transportation Regulation Division

- Weights and Dimensions
- Commercial Vehicle Safety Alliance Roadside Inspections (CVSA)
- Permits
- Road Restrictions

The Motor Transport Board

- Operating Authority

Vehicle Standards and Inspections • Driver and Vehicle Licencing Division

- Periodic Mandatory Vehicle Inspections (PMVI)

Driver Records and Suspensions • Driver and Vehicle Licencing Division

- Driver Abstracts

Vehicle Registration • Driver and Vehicle Licencing Division

- Canadian Agreement on Vehicle Registration (CAVR)

Transport Canada

- Transport Canada has delegated its authority to the Provinces relating to regulating extra-provincial commercial highway transportation.
- International and national negotiations and agreements.

Appendix C • Contacts

Regulations and Enforcement • Manitoba

Transportation Safety & Regulation

Transportation Safety & Regulation
1550 Dublin Avenue
Winnipeg, MB R3E 0L4
Phone: 945-5322
Fax: 948-2078
Internet: www.gov.mb.ca/hwy/tsr.html

Carrier Insurance
1550 Dublin Avenue
Winnipeg, MB R3E 0L4
Phone: 945-6748
Fax: 948-2078

Inter-provincial Shortline Railways
1550 Dublin Avenue
Winnipeg, MB R3E 0L4
Phone: 945-5322
Fax: 948-2078

Carrier Profiles
1550 Dublin Avenue
Winnipeg, MB R3E 0L4
Phone: 945-6651
Fax: 948-2078

Transportation Safety Investigations
Winnipeg Office
1550 Dublin Avenue
Winnipeg, MB R3E 0L4
Phone: 945-5376
Fax: 948-2078

Brandon Office
340 9th Street
Brandon, MB R7A 6C2
Phone: 726-7175
Fax: 726-6603

Compliance & Regulatory Services

Compliance Services
Winnipeg Office
1550 Dublin Avenue
Winnipeg, MB R3E 0L4
Phone: 945-3890
Fax: 948-2078
Internet: www.gov.mb.ca/hwy/compreg.html

Brandon Office
1525 1st Street North
Brandon, MB R7A 1B5
Phone: 726-6825
Fax: 726-6836

Oversize/Overweight & Licencing Permits
Winnipeg Office
1550 Dublin Avenue
Winnipeg, MB R3E 0L4
Phone: 945-3961
Fax: 945-6499

Brandon Office
1525 1st Street N
Brandon, MB R7A 1B5
Phone: 726-7006
Fax: 726-6836

Portage la Prairie Office
25 Tupper Street North
Portage la Prairie, MB R1N 3K1
Phone: 239-3489
Fax: 239-3301

Weigh Stations
Junction of PTH 11 & PR 304 (winter only)
Powerview, MB
Phone: 367-8791

PTH 75 adjacent to Noyes, MN & Pembina, ND
Emerson, MB
Phone: 373-2779

PTH 59, approx. one km north of Winnipeg
Birds Hill, MB
Phone: 668-8023

PTH 7, approx. three kms north of Winnipeg
Rosser, MB
Phone: 633-2167

PTH 6, south of Thompson
Thompson, MB
Phone: 677-6481

Trans Canada Highway 1, west of Winnipeg
Headingley, MB
Phone: 889-3836

PTH 10, approx. eight kms north of The Pas
The Pas, MB
Phone: 627-8294

Junction of PTH 2 & 10, south of Brandon
Log Cabin
Phone: 483-2432

Trans Canada Highway, Manitoba/Ontario border
West Hawk Lake
Phone: 349-2206

Commercial Vehicle Safety Alliance (CVSA)
1550 Dublin Avenue
Winnipeg, MB R3E 0L4
Phone: 945-3891
Fax: 948-2078

Driver & Vehicle Licencing

Driver Licencing Offices
Main Office
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-6850
Fax: 945-0652

St. James Office
3137 Portage Avenue
Winnipeg, MB R3K 0W4
Phone: 945-7268
Fax: 948-2051

St. Mary's Office
1504 St. Mary's Road
Winnipeg, MB R2M 3V7
Phone: 945-0655
Fax: 948-2054

Driver Licencing & Driver Testing Offices
Corydon Office
2020 Corydon Avenue
Winnipeg, MB R3P 0N2
Phone: 945-5326
Fax: 948-2053

McPhillips Office
2188 McPhillips Street
Winnipeg, MB R2V 3C8
Phone: 945-7317
Fax: 948-2050

Nairn Office
1006 Nairn Avenue
Winnipeg, MB R2L 0Y2
Phone: 945-7320
Fax: 948-2052

Brandon Office
340 9th Street
Brandon, MB R7A 6C2
Phone: 726-6263
Fax: 726-6503

Dauphin Office
27 2nd Avenue SW
Dauphin, MB R7N 3E5
Phone: 622-2060
Fax: 638-9797

Portage la Prairie Office
25 Tupper Street North
Portage la Prairie, MB R1N 3K1
Phone: 239-3220
Fax: 239-3219

Thompson Office
59 Elizabeth Drive
Thompson, MB R8N 1X4
Phone: 677-6591
Fax: 677-6355

Alcohol & Drug
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-6864
Fax: 948-2224

Driver Improvement & Control
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-6860
Fax: 945-5324

Driver Records & Suspensions
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-6945
Fax: 945-0654

Medical Records
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-7386
Fax: 945-5324

Driver Testing
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-7320
Fax: 945-5620

Driver Testing Appointments
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-7500
Toll Free: 1-800-782-0777
Fax: 945-5620

Vehicle Registration Offices
Main Office
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-7378
Fax: 945-8416

Brandon Office
340 9th Street
Brandon, MB R7A 6C2
Phone: 726-6263
Fax: 726-6503

Dauphin Office
27 2nd Avenue SW
Dauphin, MB R7N 3E5
Phone: 622-2060
Fax: 638-9797

Portage la Prairie Office
25 Tupper Street North
Portage la Prairie, MB R1N 3K1
Phone: 239-3220
Fax: 239-3219

Thompson Office
59 Elizabeth Drive
Thompson, MB R8N 1X4
Phone: 677-6591
Fax: 677-6355

International Registration Plan (IRP)
Prorate Licencing Section
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-5435
Toll-free: 1-866-798-1185
Fax: 945-8416

Commercial Vehicles
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-7380
Fax: 945-8416

Vehicle Standards
Winnipeg Office
1075 Portage Avenue
Winnipeg, MB R3G 0S1
Phone: 945-4603
Fax: 948-3380

Brandon Office
340 9th Street
Brandon, MB R7A 6C2
Phone: 726-6557
Fax: 726-6603

Dauphin Office
27 2nd Avenue SW
Dauphin, MB R7N 3E5
Phone: 622-2057
Fax: 638-3296

Motor Transport Board
200-301 Weston Street
Winnipeg, MB R3E 3H4
Phone: 945-8915
Fax: 783-6529

Royal Canadian Mounted Police
"D" Division Headquarters
1091 Portage Avenue
Winnipeg, MB R3G 0R9
Phone: 983-5420

Conservation

Dangerous Goods Handling & Transportation
123 Main Street
Winnipeg, MB
Phone: 945-7025
Fax: 948-2420
Emergency (24 Hour): 944-4888

Manitoba Government Printing Office
(Copies of Acts & Regulations)
Statutory Publications
200 Vaughn Street
Lower Level
Winnipeg, MB R3C 1T5
Phone: 945-3101
Fax: 945-7172

Regulations & Enforcement • Other Jurisdictions

British Columbia

Roadside Compliance
Motor Vehicles Regional Office
Phone: (604) 453-4220
Permits
Motor Carriers Permits & Inquiries
Phone: (604) 453-4250

Alberta

Roadside Compliance
Inspection Services
Phone: (403) 340-5213
Permits
Central Permit Office
Phone: (403) 342-7138

Saskatchewan

Roadside Compliance
Transport Compliance Branch
Phone: (306) 787-4372
Permits
Motor Transport Services Branch
Phone: (306) 775-6969

Ontario

Roadside Compliance
Northwest Region-Thunder Bay
Phone: (807) 473-2039
Permits
Carrier Sanctions & Investigations
Phone: (905) 704-2540

Quebec

Roadside Compliance
Operations Support
Phone: (418) 528-3285
Permits
Special Permits
Phone: (418) 527-7775

New Brunswick

Roadside Compliance
Commercial Vehicle Enforcement
Phone: (506) 453-7157
Permits
Department of Transportation
Trip
Phone: (506) 453-2215
Oversize/Overweight
Phone: (506) 453-2982

Newfoundland

Roadside Compliance
Highway Enforcement
Phone: (709) 729-4718
Permits
Motor Registration Headquarters
Phone: (709) 729-4718

Nova Scotia

Roadside Compliance
Vehicle Compliance Section
Phone: (902) 424-5536
Permits
Vehicle Compliance Section
Phone: (902) 424-5536

Prince Edward Island

Roadside Compliance
Highway Safety Division
Phone: (902) 368-5231
Permits
Borden Weigh Scale
Phone: (902) 437-8534

Yukon

Roadside Compliance
Weigh Stations & Enforcement
Phone: (867) 667-5729
Permits
Weigh Stations & Enforcement
Phone: (867) 667-5729

Northwest Territories

Roadside Compliance
Motor Carrier Services/Highway Patrol
Phone: (867) 777-7283
Permits
Enterprise Weigh Scale
Phone: (867) 984-3341

Transport Canada

Prairie Northern Region
344 Edmonton Street
Winnipeg, MB
Phone: 983-3152

United States Department of Transport

Federal Motor Carrier Safety Administration (FMCSA)
Minnesota Office
Galtier Plaza, Box 75
175 E 5th Street, Suite 500
St Paul, MN 55101-2904
Phone: (651) 291-6150

North Dakota Office
1471 Interstate Loop
Bismark, ND 58501-0567
Phone: (701) 250-4346

National Highway Traffic Safety Administration (NHTSA)
400 7th St. SW
Washington, DC 20590
Toll Free: 1-888-327-4236

United States Custom Service
North Dakota
P.O. Box 610
Pembina, ND 58271
Phone: (701) 825-6813
Fax: (701) 825-6953

RR#1 Box 117
Dunseith, ND 58329
Phone: (701) 263-4460
Fax: (701) 263-4429

Minnesota
HC2 Box 245
State Highway 313
Warroad, MN 56763-9411
Phone: (218) 386-3202
Fax: (218) 386-6284

Federal, Provincial, Municipal Agencies

Canada/Manitoba Business Service Centre

Winnipeg Office
250-240 Graham Avenue
Winnipeg, MB R3C 4B3
Phone: 984-2272
Toll Free: 1-800-665-2019
TTY: 1-800-457-8466
InfoFax: 1-800-665-9386

Brandon Office
Room 107
340 9th Street
Brandon, MB R7A 6C2
Phone: 726-6250
Fax: 726-6403
Internet: www.cbsc.org/manitoba

Canada Customs & Revenue Agency

Payroll Deductions, Personal & Corporation Tax Services, Customs Border Services, GST & Excise Tax
2nd Floor
325 Broadway
Winnipeg, MB R3C 4T4
Toll Free (English): 1-800-959-5525
Toll Free (French): 1-800-959-7775
Fax: 983-2066
Internet: www.ccra-adrc.gc.ca

Canada Human Resources Development

Labour Program
Winnipeg Office
2nd Floor
391 York Avenue
Winnipeg, MB R3C 0P4
Phone: 983-6375
Toll Free: 1-800-838-2033
Fax: 983-1248

Brandon Office
100-1039 Princess Avenue
Brandon, MB R7A 4J5
Phone: 726-7614
Fax: 726-7744

Manitoba Intergovernmental Affairs

Local Government Support Services
Municipal Finance & Advisory Services
508-800 Portage Avenue
Winnipeg, MB R3G 0N4
Phone: 945-2572
Fax: 945-1994

Manitoba Labour

Employment Standards
Winnipeg Office
604-401 York Avenue
Winnipeg, MB R3C 0P8
Phone: 945-3352
Fax: 948-3046

Brandon Office
340 9th Street
Brandon, MB R7A 6C2
Phone: 726-6370
Fax: 726-6749

Workplace Safety & Health
Winnipeg Office
200-401 York Avenue
Winnipeg, MB R3C 0P8
Phone: 945-3446
Toll Free: 1-800-282-8069
Fax: 945-4556

Brandon Office
340 9th Street
Brandon, MB R7A 6C2
Phone: 726-6361
Fax: 726-6749
Internet: www.gov.mb.ca/labour/safety

Manitoba Consumer and Corporate Affairs

Companies Office
Woodsworth Building
10th Floor, 405 Broadway
Winnipeg, MB R3C 3L6
Phone: 945-2500
Toll Free: 1-888-246-8353
Fax: 945-1459

Manitoba Finance

Taxation Division
IFTA
101-401 York Avenue
Winnipeg, MB R3C 0P8
Phone: 945-3194
Toll Free: 1-800-564-9789
Fax: 948-2087

Sales Tax Collection & Remittance
101-401 York Avenue
Winnipeg, MB R3C 0P8
Phone: 945-5603
Toll Free: 1-800-782-0318
Fax: 948-2087

Westman Regional Office
IFTA, Sales Tax Collection & Remittance
340 9th Street
Brandon, MB R7A 6C2
Phone: 726-6153
Toll Free: 1-800-275-9290
Fax: 726-6763

Workers' Compensation Board of Manitoba

Assessment Customer Services
5th Floor
175 Hargrave Street
Winnipeg, MB R3C 3R8
Phone: 954-4505
Toll Free: 1-888-504-1339
Fax: 954-4900

City Of Winnipeg

Licence Branch
Confederation Building
18-81 Garry Street
Winnipeg, MB R3C 4X3
Phone: 986-6420

Zoning & Permits Branch
100-30 Street
Winnipeg, MB R3C 4X7
Phone: 986-5140

Traffic Division
Vehicle Inspection Unit
(Truck Routes, Permits)
44 Bangor Road
Winnipeg, MB
Phone: 986-5355
Fax: 986-7031

City of Brandon

Traffic Division
1340 10th Street
Brandon, MB R7A 6Z3
Phone: 729-2322

City Licencing (Permits)
410 9th Street
Brandon, MB R7A 6A2
Phone: 729-2230

Additional Resources

Manitoba Trucking Association
25 Bunting Street
Winnipeg, MB R2X 2P5
Phone: 632-6600
Fax: 694-7134
Internet: www.trucking.mb.ca

Appendix D • Regulations

	Manitoba Highway Traffic Act **(HTA) & Regulations (Reg)**	**Federal**	*U.S Federal* **Motor Carrier Safety Regulations**
Motor Carrier Insurance Requirements Order			
Types and Amounts of Insurance	Reg 238/97		
Driver Profile			
Single Licence	HTA 33.2, 170(1), 318.1(1)–(3), 318.8(1)		383.21, 383.33, 383.37, 392.42
Driver Abstract	HTA 318.6(a), 318.8(1)		391.27
Disclosure of Violations	HTA 318.1(3), 318.8(1)		383.31
Disclosure of Accidents	HTA 318.1(3), 318.8(1)		392.40, 394.9, 394.15
Annual Review of Driver Fitness	HTA 318.6, 318.8(1)		391.25
Dangerous Goods Training Certificate		TDG Act 9.5, 9.6	383.91
Commercial/Professional Driver Licence			
Classes of Licence	HTA 24(1), Reg 412/87R		383.91
Written & Road Test	HTA 31(2), 31(8)		391.35, 391.31
Medical Standards	HTA 28(1), Reg 412/87R		391.41, 391.43
Drug & Alcohol Testing			382.103, 382.401
Drivers Hours of Service	Reg 193/89	SOR/94-716	395
Mechanical Fitness			
Maintenance Record Keeping	318.7(3)		396.3
Trip Inspection	Reg 112/96		396.13
Periodic Mandatory Vehicle Inspection	Reg 76/94		396.21
Load Securement	Reg 157/91		392.9, 393.100

Appendix E • Driver Licence Class System

Professional/Commercial Driver Licence Classes/Vehicle Groups

Manitoba

Class 1

VEHICLES
- Semi-trailer trucks

LICENCE
- Permits the holder to operate all motor vehicles or combination of vehicles; semi-trailer trucks, buses*, etc., including all vehicles in classes 2, 3, 4, and 5, except class 6.
- May operate a Moped.***

DOES NOT PERMIT THE LICENCE HOLDER TO OPERATE
- Vehicles with Air Brake equipment unless licence is endorsed.
- Class 6 vehicles.

MINIMUM AGE
- 18

MEDICAL (SEE CANADA/US MEDICAL RECIPROCITY)
- Medical report required on initial application. Must also submit a medical–every ten years to age 39, every five years from age 40 to 60, every two years from age 61 or when requested.
- Must meet prescribed vision standards.

REQUIREMENTS
- Written tests on Classes 1, 2, 3, and 4 vehicles. Written test on Air Brake operation where required.

ROAD TEST
- Road test in Class 1 vehicle.

Class 2

VEHICLES
- Buses* having a seating capacity of over 24 occupants (including the driver) while carrying passengers; school buses** having a seating capacity of over 36 occupants (including the driver) while carrying passengers.

LICENCE
- Permits the holder to operate all motor vehicles except Class 1 or 6.
- May operate a Moped.***

DOES NOT PERMIT THE LICENCE HOLDER TO OPERATE
- Vehicles with Air Brake equipment unless licence is endorsed.
- Class 1 or 6 vehicles.

MINIMUM AGE
- 18

MEDICAL (SEE CANADA/US MEDICAL RECIPROCITY)

- Medical report required on initial application. Must also submit a medical–every ten years to age 39, every five years from age 40 to 60, every two years from age 61 or when requested.
- Must meet prescribed vision standards.

REQUIREMENTS

- Written tests on Classes 2, 3, and 4 vehicles. Written test on Air Brake operation where required.

ROAD TEST

- Road test in Class 2 vehicle.

Class 3

VEHICLES

- Trucks with more than two axles, including any combination of vehicles or a truck with not more than two axles towing a trailer with a registered gross vehicle weight of more than 4,540 kg except semi-trailer trucks.

LICENCE

- Permits the holder to operate all motor vehicles except vehicles in Class 1, 2 or 6.
- May operate a Moped.***

DOES NOT PERMIT THE LICENCE HOLDER TO OPERATE

- Vehicles with Air Brake equipment unless licence is endorsed.
- Class 1, 2 or 6 vehicles.

MINIMUM AGE

- 18

MEDICAL (SEE CANADA/US MEDICAL RECIPROCITY)

- Medical report required on initial application. Must also submit a medical–every ten years to age 39, every five years from age 40 to 60, every two years from age 61 or when requested.
- Must meet prescribed vision standards.

REQUIREMENTS

- Written tests on Classes 3 and 4 vehicles. Written test on Air Brake operation where required.

ROAD TEST

- Road test in Class 3 vehicle.

Class 4

VEHICLES

- Taxis, ambulances and other emergency vehicles, and buses* with a seating capacity between 11 and 24 occupants (including the driver) or school buses** with a seating capacity between 11 and 36 occupants (including the driver).

LICENCE

- Permits the holder to operate all motor vehicles except vehicles in Classes 1, 2, 3 or 6.
- May operate a Moped.***

DOES NOT PERMIT THE LICENCE HOLDER TO OPERATE

- Vehicles with Air Brake equipment unless licence is endorsed.
- Class 1, 2, 3 or 6 vehicles.

MINIMUM AGE

- 18

MEDICAL

- Medical report required on initial application. Must also submit a medical–every ten years to age 39, every five years from age 40 to 60, every two years from age 61 or when requested.
- Must meet prescribed vision standards.

REQUIREMENTS

- Written test on Class 4 vehicles. Written test on Air Brake operation where required.

ROAD TEST

- Road test in Class 4 or 5 vehicle.

Class 5

VEHICLES

- Passenger cars, a bus* while not carrying passengers, a truck with not more than two axles, and any combination of vehicles consisting of a truck with not more than two axles and a towed vehicle with a registered gross vehicle weight of not more than 4,540 kg.

LICENCE

- Permits the holder to operate a Class 5 and Class 3 trucks registered as farm trucks.
- May operate a Moped.***

DOES NOT PERMIT THE LICENCE HOLDER TO OPERATE

- Vehicles with Air Brake equipment unless licence is endorsed.
- Class 1, 2, 3, 4 or 6 vehicles.

MINIMUM AGE

- 16

MEDICAL

- Medical report required when requested.
- Must meet prescribed vision standards.

REQUIREMENTS

- Written or oral basic knowledge test. Not required if holder of a Class 6 or 7 licence. Written test on Air Brake operation where required.

ROAD TEST

- Road test in Class 5 vehicle.

Class 6

VEHICLES

- Motorcycles.

LICENCE

- Permits the holder to operate a motorcycle. Operation of vehicles in Classes 1 to 5 are prohibited, unless the motorcycle Class 6 licence is held in combination with Classes 1, 2, 3, 4 or 5 licence.
- May operate a Moped.***
- A person wishing to operate a Moped only will be tested on a Moped and restricted to the operation of a Moped.***

DOES NOT PERMIT THE LICENCE HOLDER TO OPERATE

- Vehicles in Classes 1 to 5.

MINIMUM AGE

- 16

MEDICAL

- Medical report when requested.
- Must meet prescribed vision standards.

REQUIREMENTS

- Written tests on Class 6 vehicles and basic knowledge test.

ROAD TEST

- Road test on Class 6 vehicle.

Class 7

LICENCE

- A learner's licence permitting the holder to drive as a learner within Classes 1 to 5, if shown on licence, and supervised by a driver who has held a licence for that class of vehicle for at least 24 months. This person must occupy the seat nearest the driver.

MOTORCYCLE INSTRUCTION PERMIT

- A permit allowing the holder to drive a motorcycle as a learner if the holder is at least 16. This permit is valid only if the learner possesses another class of licence (for example, Class 7).

REQUIREMENTS FOR CLASS 7 LICENCE

- Parental or guardian approval required if under 18 years, birth certificate and other identification are required on initial application.

DOES NOT PERMIT THE LICENCE HOLDER TO OPERATE

- Any class of vehicle other than those shown on the licence in the authorized instruction box.

MINIMUM AGE

- 16 with parental or guardian approval; 15 if enrolled in Driver Education Program for Class 5 only; 18 for Classes 1 to 4.

MEDICAL

- Medical report required when requested.
- Must meet prescribed vision standards.

REQUIREMENTS

- Written basic knowledge test.
- Supplementary written tests for learner licence for class 1, 2, 3, 4 and 6.

ROAD TEST

- No test.

Air Brake Endorsement

Permits the holder to drive vehicles equipped with Air Brakes in Class of Vehicle for which the driver is licenced. Drivers of Class 3 trucks registered as farm trucks, equipped with air brakes, are exempt from this requirement.

REQUIREMENTS

- Must complete written Air Brake Test.

ROAD TEST

- Must complete Air Brake Practical Test.

* A bus is any vehicle with a seating capacity of at least 11 occupants (including the driver) used primarily to carry passengers. It excludes vehicles used for personal transportation by the owner or with the owner's permission.

** A school bus certificate may be required to operate a school bus while carrying passengers. For further information please contact Pupil Transportation (204) 945-6900.

*** Mopeds are not allowed to be driven on highways with a speed limit exceeding 80 km/h. However, mopeds are allowed to cross these highways.

U.S.

Vehicle Group Descriptions

Each driver applicant must possess and be tested on his/her knowledge and skills, for the commercial motor vehicle group(s) for which he/she desires a commercial driver licence. The commercial motor vehicle groups are as follows:

1) Combination vehicle (Group A).
Any combination of vehicles with a gross combination weight rating (GCWR) of 11,794 kilograms or more (26,001 pounds or more) provided the GVWR of the vehicle(s) being towed is in excess of 4,536 kilograms (10,000 pounds).

2) Heavy Straight Vehicle (Group B).
Any single vehicle with a GVWR of 11,794 kilograms or more (26,001 pounds or more), or any such vehicle towing a vehicle not in excess of 4,536 kilograms (10,000 pounds) GVWR.

3) Small Vehicle (Group C).
Any single vehicle, or combination of vehicles, that meets neither the definition of Group A nor that of Group B as contained in this section, but that either is designed to transport 16 or more passengers including the driver, or is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations.

Endorsements

An operator must obtain State-issued endorsements to his/her commercial driver licence to operate commercial motor vehicles, which are:

1) Double/triple trailers;
2) Passenger vehicles;
3) Tank vehicles; or
4) Required to be placarded for hazardous materials.

Endorsement Testing Requirements

The following tests are required for the endorsements contained in the previous section:

1) Double/Triple Trailers–a knowledge test;

2) Passenger–a knowledge and a skills test;

3) Tank vehicle–a knowledge test; and

4) Hazardous Materials–a knowledge test.

Air Brake Restrictions

1) If an applicant either fails the air brake component of the knowledge test, or performs the skills test in a vehicle not equipped with air brakes, the State shall indicate on the CDL, if issued, that the person is restricted from operating a CMV equipped with air brakes.

2) For the purposes of the skills test and the restriction, air brakes shall include any braking system operating fully or partially on the air brake principle.

Appendix F • Sample Carrier Profile

Transportation Safety and Regulation

Carrier Information

Carrier Name:	ABC Trucking Ltd.		NSC # : 9876543
Operating as:	Alphabetta Logistics Company	Safety Certificate #	MB98-1231
Business Address:	Suite 987-654 321st Street S	Valid Until:	
City/Province:	Winnipeg, Manitoba	IRP #:	
Postal Code:	R1S 2F4	US DOT #:	987234
Business Phone:	(204) 987-6543	CVOR #:	
Business Fax:	(204) 987-6542	Us Operation:	☐
Carrier Class:	☐ Private ■ For Hire	Inspection Shop:	☐
Operation:	■ Extra-Provincial ☐ Intra-Provincial	Dangerous Goods:	☐
Organization Type:	■ Proprietorship ☐ Partnership	School Bus Operator:	☐
	☐ Corporation	Exempt Commodities:	☐
		Current MB Fleet:	25
		Average MB Fleet:	23

Safety Rating

Satisfactory

CVSA Inspection Information

Result	Count	%
Pass	9	47.37%
Fail	4	21.05%
OOS	6	31.58%

Performance Rating

Inspection Threshold	55.05%
Conviction Threshold	8.93%
Accident Threshold	17.51%
Overall Threshold	32.97%
Acceptable	0-40%
Minor Attention Required	41-64%
Major Attention Required	65-84%
Department Intervention	85%+

Insurance Information (if applicable)

Type	Insurance Company	Limit
PLPD	Zurich Insurance Company	$2,000,000
Cargo	Continental Insurance Company	$150,000

Notice: This profile contains information submitted by participating jurisdictions. It is distributed in the interest of information exchange. Manitoba Highways and Government Services assumes no liability for the contents or use thereof.

Statistical Data for: 9876543 From: 01/02/1999 To: 01/02/2001

Manitoba
Transportation and
Government Services

Carrier Convictions

Generic Code Description	Section	Ticket Number	Viol. Juris	Violation Date	Plate Number	Weight	Acc. Inv.	Driver Licence #	Juris.
Vehicle Overweight	MR 575/ 8826-2	97325421	MB	6/1/00	PQW534	1	N	FORD*HR127	XX
Any defect causing out of service	HTA 204-1	97325421	MB	5/17/00	PQW534	3	N	FORD*HR127	XX
Defective brakes– out of service		97325421	BC	11/5/99	PQW534	3	N	FORD*HR127	
Breach of weights and dimensions	MR 575/88 28-2	97325421	MB	11/2/99	PQW534	3	N	FORD*HR127	XX
Exceed posted speed limit		97325421	BC	10/27/99	PQW534	1	N	FORD*HR127	XX
Inappropriate or dangerous stopping	HTA 124-2	97325421	MB	9/17/99	PQW534	1	N	FORD*HR127	MB
Breach of weights and dimensions		97325421	BC	8/24/99	PQW534	3	N	FORD*HR127	
Vehicle Overweight		97325421	BC	7/13/99	PQW534	1	N	FORD*HR127	
Any defect causing out of service	HTA 204-1	97325421	MB	5/19/99	PQW534	3	N	FORD*HR127	
Daily log not up to date or in possession		97325421	BC	4/6/99	PQW534	2	N	FORD*HR127	XX
Breach of weights and dimensions		97325421	BC	3/11/99	PQW534	3	N	FORD*HR127	
Breach of weights and dimensions		97325421	BC	3/9/99	PQW534	3	N	FORD*HR127	
						27			

Statistical Data for: 9876543 From: 01/02/1999 To: 01/02/2001

Manitoba Transportation and Government Services

Carrier Convictions by Offence Category

Generic Code Description	# of Convictions	Weight	Weighted Count	Percentage
Driving Failure to comply with the requirements of operating and directing the course of a vehicle safely; eg: dangerous turn, failure to yield, following too closely.				
Exceed posted speed limit	1	1	1	50%
Inappropriate or dangerous stopping	1	1	1	50%
Totals for Driving	2		2	
Percent of Totals	17%		7%	
Hours of Service Failure to comply with the requirements of possessing and maintaining a daily log of hours of service; eg: falsify logs, driver exceeds maximum hours.				
Daily log not up to date or in possession	1	2	2	100%
Totals for Hours of Service	1		2	
Percent of Totals	8%		7%	
Equipment Failure to comply with the requirements of properly maintaining a vehicle within regulatory standards; eg: missing or inadequate brakes, any other major defect.				
Any defect causing out of service	2	3	6	67%
Defective brakes-out of service	1	3	3	33%
Totals for Equipment	3		9	
Percent of Totals	25%		33%	
Weights & Dimensions Failure to comply with the requirements of operating a vehicle within registration limits; eg: contravene vehicle dimension restrictions, overlength vehicle.				
Breach of weights and dimensions	4	3	12	67%
Vehicle overweight	2	1	2	33%
Totals for Weights & Dimensions	6		14	
Percent of Totals	50%		52%	

Statistical Data for: 9876543 From: 01/02/1999 To: 01/02/2001

Manitoba
Transportation and
Government Services

Carrier Inspections

Report #	Inspection Level	Inspection Location	Inspection Date	Driver Name	Driver License #	Prov. Code	Weight
MB99999	Complete	Headingley	9/9/00	Bymee, Stan	BYMEES*123F2	MB	3
MB99999	Complete	Headingley	7/5/00	Bymee, Stan	BYMEES*123F2	MB	0
MB99999	Complete	Winnipeg	5/17/00	Bymee, Stan	BYMEES*123F2	MB	3
MB99999	Complete	British Columbia	3/25/00	Bymee, Stan	BYMEES*123F2	MB	1
MB99999	Complete	British Columbia	11/5/99	Bymee, Stan	BYMEES*123F2	MB	3
MB99999	Complete	British Columbia	10/27/99	Bymee, Stan	BYMEES*123F2	MB	0
MB99999	Complete	British Columbia	9/27/99	Bymee, Stan	BYMEES*123F2	MB	1
MB99999	Complete	British Columbia	9/13/99	Bymee, Stan	BYMEES*123F2	MB	0
MB99999	Driver Only	Virden	7/29/99	Bymee, Stan	BYMEES*123F2	MB	0
MB99999	Driver Walk Around	Emerson	7/7/99	Bymee, Stan	BYMEES*123F2	MB	0
MB99999	Complete	British Columbia	6/8/99	Bymee, Stan	BYMEES*123F2	MB	1
MB99999	Complete	British Columbia	5/12/99	Bymee, Stan	BYMEES*123F2	MB	0
MB99999	Complete	Winnipeg	5/10/99	Bymee, Stan	BYMEES*123F2	MB	0
MB99999	Complete	British Columbia	4/9/99	Bymee, Stan	BYMEES*123F2	MB	1
MB99999	Complete	British Columbia	4/6/99	Bymee, Stan	BYMEES*123F2	MB	0
MB99999	Driver Only	Headingley	2/26/99	Bymee, Stan	BYMEES*123F2	MB	3

Weight: Pass = 0, Fail = 1, Out of Service = 3

Statistical Data for: 9876543 From: 01/02/1999 To: 01/02/2001

Manitoba
Transportation and
Government Services

Carrier Accidents

Case #	Plate #	Accident Date	Accident Severity	Accident Jurisdiction	# of Injured	# of Fatalities	Weight	Driver Licence #
43216	GHF765	2/17/00	Injury	MB	1	0	0	JONESML543KS
43216	GHF765	2/17/00	Injury	MB	1	0	0	JONESML543KS
43216	GHF765	7/16/99	Property Damage	MB	0	0	0	JONESML543KS
43216	GHF765	6/1/99	Property Damage	MB	0	0	0	JONESML543KS

Points assigned for at fault accidents only.

Statistical Data for: 9876543 From: 01/02/1999 To: 01/02/2001

Manitoba
Transportation and
Government Services

Appendix G • Sample Record Keeping Forms

Driver Disclosure of Licence

Driver Name _____

Carrier Name _____

Declaration

Pursuant to Section 318.1(1) of the *Highway Traffic Act*, I, _____ _____ hereby disclose the only jurisdiction in which I am licenced, the class of licence held, whether or not the licence is suspended, and the name in which the licence is issued.

_____	_____	_____	_____
Jurisdiction	Class	Suspended?	Name

I understand that I can possess only one driver's licence.

I understand that I must inform my employer immediately of any convictions or accidents while operating a motor vehicle.

I understand that I must immediately inform my employer of any suspensions, restrictions, prohibitions or any other change in status to my driver's licence.

Copies of Current Drivers Licence Attached

☐ 1st Quarter ☐ 2nd Quarter ☐ 3rd Quarter ☐ 4th Quarter

_____

Signed Date

Driver Qualification Checklist

(including Owner/Operators)

Driver Name _____

- ☐ 1. Driver Licence Disclosure
- ☐ 2. Current Driver Abstract (within last 12 months)
- ☐ 3. Accident Disclosure
- ☐ 4. Violation Disclosure
- ☐ 5. Annual Review of Driver Fitness
- ☐ 6. Dangerous Goods Training Certificate

Recommendations

- ☐ 1. Application for employment
- ☐ 2. Written examination
- ☐ 3. Road test

Motor Vehicle Accident Report

Driver's Name: _____ Date of Accident: _____
Last First Middle dd mm yy

Driver's Vehicle

Make: _____ Model: _____ Colour: _____

Year: Lic. Plate No. Branch:

Other Vehicle

Make: _____ Model: _____ Colour: _____

Year: _____ VIN (Serial No.) _____ Lic. Plate No. _____

Owner Information Of Other Vehicles

Name: _____ Home Phone: _____

Address: _____ Business Phone: _____

Insurance Co. _____ Policy No. _____ Phone: _____

Investigating Police Officer

Name: _____ Number: _____

Station or Detachment: _____

Injured Persons

Name	Age	Address	Phone	Occupant of			Nature of injury and where taken
				Your vehicle:	Other vehicle:	Other:	

Witnesses

Name	Address	Phone	Indicate if witness was in your car, other car or independent

Driver Record Inquiry from Driver and Vehicle Licencing

Date _____

We hereby authorize _____
to obtain a copy of our driving records from the records of the Registrar of Motor Vehicles for the Province of Manitoba.

Copies are available at a cost of $7.00 per record, payable to the *Minster of Finance*.

Send completed forms with cheque to: Driver Records and Suspensions
Driver and Vehicle Licencing
1075 Portage Avenue
Winnipeg MB R3G 0S1

Driver Name	Driver Licence No.	Date of Birth	Signature

Driver's Certification of Violations and Accidents

I certify that the following is a true and complete list of convictions (other than parking violations) and accidents required to be reported under the *Highway Traffic Act* during the past 12 months.

Date	Offence/Accident	Location	Type of Vehicle Operated

If no violations or accidents are listed above, I certify that I have not been convicted or forfeited bond or collateral because of any violation required to be listed during the past 12 months.

Date of Certification | Driver's Signature

Motor Carrier's Name | Motor Carrier's Address

Reviewed by: Signature | Title

Annual Review of Driving Record

Driver's Name: _____ Driver Licence No: _____
Last First Middle

Carrier Declaration

This day I reviewed the driving record of the above named driver in accordance with 318.6 of the Manitoba *Highway Traffic Act.* I considered any evidence that the driver has violated applicable provisions of the *Motor Vehicle Act* (Canada), the Criminal Code (Canada) and the *Transportation* of *Dangerous Goods Act* (Canada), the Dangerous Goods Handling and Transportation (Manitoba). I considered the driver's accident record, any evidence that he/she has violated laws governing the operation of motor vehicles, and gave great weight to violations, such as speeding, reckless driving and operation while under the influence of alcohol and drugs, that indicate that the driver has exhibited a disregard for the safety of the public. Having done the above, I find that:

Date of Review: _____

☐ the driver meets the minimum requirements for safe driving, or

☐ the driver is unfit to drive a motor vehicle on behalf of the motor carrier pursuant to 318.6

Reviewed By: _____
Title: _____

Date of Review: _____

☐ the driver meets the minimum requirements for safe driving, or

☐ the driver is unfit to drive a motor vehicle on behalf of the motor carrier pursuant to 318.6

Reviewed By: _____
Title: _____

Date of Review: _____

☐ the driver meets the minimum requirements for safe driving, or

☐ the driver is unfit to drive a motor vehicle on behalf of the motor carrier pursuant to 318.6

Reviewed By: _____
Title: _____

Date of Review: _____

☐ the driver meets the minimum requirements for safe driving, or

☐ the driver is unfit to drive a motor vehicle on behalf of the motor carrier pursuant to 318.6

Reviewed By: _____
Title: _____

Qualification File Record

Transportation of Dangerous Goods Certification

Driver Name _____

Date of Issue _____

Topics of Training

Responsibilities _____
Date of Training

Classification _____
Date of Training

Safety Marks _____
Date of Training

Documentation _____
Date of Training

Dangerous Occurrences _____
Date of Training

_____
Date of Training

_____
Date of Training

_____
Date of Training

_____
Date of Training

_____
Date of Training

_____
Driver's Signature

_____
Employer's Signature

_____
Name and Address of Employer

_____
Date of Expiry of Certification

Certificate of Training of Transportation of Dangerous Goods

Name of Employee _____

Address _____

City _____ Province _____

Employee's Signature _____

This is to certify that, in accordance with Part 9.3(a)(I) and Part 9.7 of the Transportation of Dangerous Goods Regulations, the above named individual has received adequate training in the **Handling, Offering, Transporting of Dangerous Goods** as described here within.

Name of Employer _____

Address _____

City _____ Province _____

Employee's Signature _____

Class and Division	[X]	Training
_____	☐	(a) Classification
_____	☐	(b) Packaging
_____	☐	(c) Safety Marks
_____	☐	(d) Shipping documents
_____	☐	(e) Prescribed special precautions
_____	☐	(f) Dangerous occurrence reporting
_____	☐	(g) Emergency measures
_____	☐	(h) Proper utilization of equipment
_____	☐	(I) Use of safety equipment

_____

Expiry Date (1) Trained By Number (if applicable)

_____

Expiry Date (2) Date of Subsequent Training

Application for Employment

Company _____ Address _____

City _____ Province _____ Postal Code _____

Name _____ Address _____

City _____ Province _____ Postal Code _____

Date of Birth _____ Social Insurance No. _____

Address (past three years) _____ City _____

Province _____ Postal Code _____

Address (past three years) _____ City _____

Province _____ Postal Code _____

Driver Experience and Qualifications

Driver Licence No. _____ Province _____

Class _____ Expiration Date _____

Driving Experience

Class of Equipment	Type of Equipment	Dates From To	Approx. No. of KM (Miles)
Straight Truck			
Tractor & Semi-Trailer			
Tractor-Two			
Trailers			
Other			

Accident Record for Past 3 Years or More (attach sheet if more space is required)

Dates	Nature of Accident (Head-On, Rear-End, Etc.)	Fatalities	Injuries
Last Accident			
Next Previous			
Next Previous			
Next Previous			

Traffic Convictions for Past 3 Years or More

(Other than parking violations/Attach sheet if more space is required)

Location	Date	Charge	Penalty

A. Have you ever been denied a licence to operate a motor vehicle? Yes ☐ No ☐

B. Has your licence ever been suspended or revoked? Yes ☐ No ☐

(If the answer to either A or B is "Yes," attach statement giving details.)

Employment Record

Last Employer

Company _____ Address _____

City _____ Province _____ Postal Code _____

Position Held _____ From _____ To _____

Second Last Employer

Company _____ Address _____

City _____ Province _____ Postal Code _____

Position Held _____ From _____ To _____

Third Last Employer

Company _____ Address _____

City _____ Province _____ Postal Code _____

Position Held _____ From _____ To _____

To Be Read and Signed by Applicant

This certifies that this application was completed by me, and that all entries on it and information in it are true and complete to the best of my knowledge.

_____

Date Applicant's Signature

Request for Information from Previous Employer

From _____

To _____ Date _____

_____ has made application to this company for a position as a _____ and states that he/she was employed by you as a _____ from _____ to _____. Will you please reply to the inquiry below respecting this applicant. Your reply will be held in strict confidence and will in no way involve you in any responsibility. For your convenience in replying by return mail, we have enclosed a stamped self-addressed envelope.

Sincerely, Safety Department

1. Is the employment record with your company as stated above? _____
2. What kind(s) of work did the applicant do? _____
3. Did the applicant drive motor vehicles for you?
   - ☐ Passenger Car ☐ Straight Truck ☐ Bus ☐ Tractor-Semi Trailer
   - ☐ Tractor-Train Combinations (A) _____ (B) _____ (C) _____
   - ☐ Other (specify) _____
4. Was the applicant a safe and efficient driver? _____
5. Give the dates of vehicle accidents in which he/she was involved. _____
6. Reason for leaving your employ: ☐ Discharged ☐ Laid Off ☐ Resigned

   Remarks: _____

1. Was the applicant's general conduct satisfactory? _____
2. Is the applicant competent for the position sought? _____
3. Did the applicant drink any alcoholic beverages while on duty? _____

	Excellent Good	Fair	Poor	Very Poor
Quality of Work	_____	_____	_____	_____
Cooperation with others	_____	_____	_____	_____
Safety Habits	_____	_____	_____	_____
Personal Habits	_____	_____	_____	_____
Driving Habits	_____	_____	_____	_____
Attitude	_____	_____	_____	_____

Remarks: _____

Date: _____ Signature: _____

Name of Company: _____

(Detach here for your records)

You are hereby authorized to give to _____

(Name of prospective employer)

all information regarding my services, character, and conduct while in your employ, and you are released from any and all liability which may result from furnishing such information to the above named company.

Driver's Road Test Examination

Driver's Name: _____ _____ Phone: _____

Driver's Address: _____

City: _____ Province: _____ Postal Code: _____

Rating of Performance

_____ The pre-trip inspection.

_____ Coupling and uncoupling of combination units, if the driver may drive such units.

_____ Placing the equipment in operation.

_____ Use of vehicle's controls and emergency equipment.

_____ Operating the vehicle in traffic and while passing other vehicles.

_____ Turning the vehicle.

_____ Braking, and slowing the vehicle by means other than braking.

_____ Backing and parking the vehicle.

_____ Other, explain: _____

_____

Type of equipment used in giving test: _____

_____

Date _____ Examiner's Signature: _____

If the road test is successfully completed, the person who gave it shall complete a certificate of driver's road test.

Remarks: _____

_____

Company Review Board Decision of Vehicle Accident

Driver: _____ Based At: _____

Local or Long Haul: _____

Driver's Vehicle Number(s): _____ Type of Accident: _____

Accident Location: _____ Date: _____
dd mm yy

After study and review of the details of the above, it is decided that this accident is: _____
Preventable or Non-preventable

Date of Board Decision: _____

The reason for the above: _____

_____

_____

Signature: _____
Review Board Convenor

ORIGINAL COPY to Driver
SECOND COPY to Supervisor of Driver
THIRD COPY to Company Management

Accident Analysis and Control Report

Motor Vehicle Accident: _____

Occupational Accident: _____

Employee Occupation: _____

Name: _____ Age: _____

Physical Condition: _____

Past Record: _____

Training: _____

Attitude: _____

Current Record: _____

Violations: _____

Accident Repeater: _____

Contributing Factors:

Where Occurred: _____ Time: _____

Unit Numbers: _____

Vehicle Accident: _____ Injuries: _____

Weather Conditions: _____ Road Conditions: _____ Speed: _____

Type of Accident: _____

Mechanical Defect: _____

Vehicle Service Record Checklist (including Owner/Operators):

Vehicle Plate Number & Unit Number: _____

- ☐ 1. Records of Routine Maintenance—2 Years
- ☐ 2. Records of Vehicle Repairs—2 Years
- ☐ 3. Records of Periodic Mandatory Vehicle Inspections—2 Years
- ☐ 4. Records of Manufacturer Recalls and Action—2 Years
- ☐ 5. Trip Inspection Reports—3 Months

Recommendations:

- ☐ 1. Recall System for Periodic Mandatory Vehicle Inspections (See Commercial Vehicle Inspection Record)

Inspection, Repair & Maintenance Record

Vehicle Identification

Make: _____ Serial Number: _____

Year: _____ Tire Size: _____

Unit #: _____ Owner, if leased: _____

Date	Odometer	Operation Performed, Inspection, and/or Repair

Commercial Vehicle Inspection Record

Unit #	Date of Last Inspection	Odometer	Date of Next Inspection	Odometer

Hours of Service Checklist (including Owner/Operators):

Driver Name: _____

- ☐ 1. Driver Logs for Past 6 Months
- ☐ 2. Record of Hours for Drivers Exempt From Logs (6 Months)

Recommendations:

- ☐ 1. System to ensure that drivers have adequate hours to complete the trip.
- ☐ 2. Periodic audit of driver hours of service with driver source documents such as bills of lading, receipts for expenses, fuel, accommodations.

Audit of Hours of Service Records

Name: _____ Driver Licence No: _____
Last First Middle

Carrier Declaration

This day I reviewed the Hours of Service records of the above named driver in accordance with the Drivers Hours of Service Regulation 193/89 of the *Manitoba Highway Traffic Act* and/or the Commercial Vehicle Drivers Hours of Service Regulations SOR/94-716 of the *Motor Vehicle Transport Act.* I analyzed the records with reference to the driver's shipping documents, bills of lading, border crossing documents, fuel and accommodation receipts and other relevant documents. I assessed the truth, accuracy, and completeness of the records with time/distance analysis. Having done the above, I find that:

Date of Review: _____

☐ the records comply with the minimum requirements of the Regulation, or

☐ the records do not comply with the Regulation.

Reviewed By: _____
Title: _____

Date of Review: _____

☐ the records comply with the minimum requirements of the Regulation, or

☐ the records do not comply with the Regulation.

Reviewed By: _____
Title: _____

Date of Review: _____

☐ the records comply with the minimum requirements of the Regulation, or

☐ the records do not comply with the Regulation.

Reviewed By: _____
Title: _____

Date of Review: _____

☐ the records comply with the minimum requirements of the Regulation, or

☐ the records do not comply with the Regulation.

Reviewed By: _____
Title: _____